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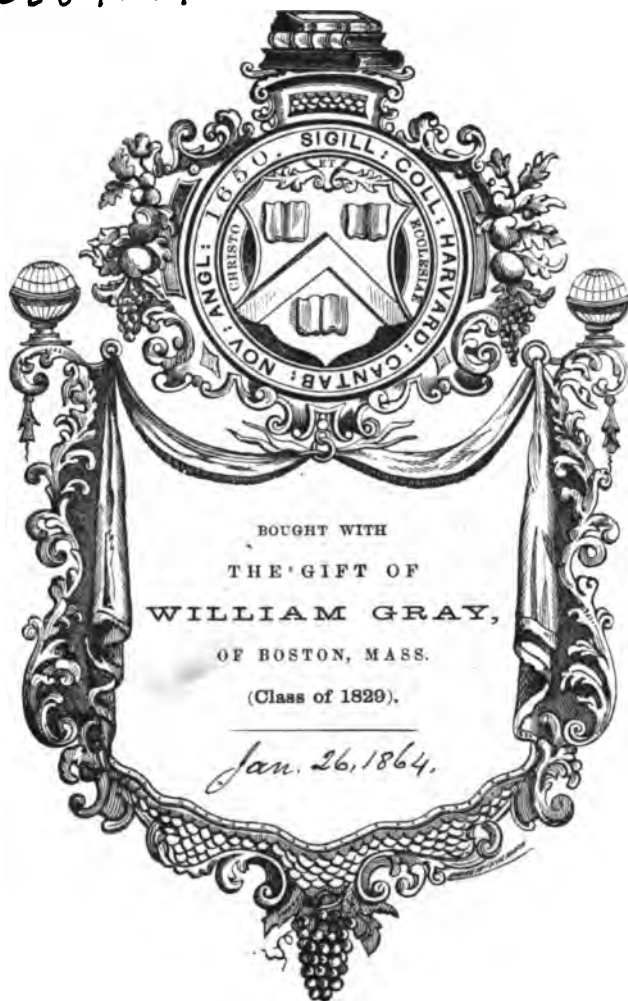
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ANNALS
OF
BRITISH LEGISLATION:

BEING

A CLASSIFIED AND ANALYSED SUMMARY OF PUBLIC BILLS, STATUTES,
ACCOUNTS AND PAPERS, REPORTS OF COMMITTEES AND OF COMMISSIONERS, AND OF SESSIONAL
PAPERS GENERALLY, OF
THE HOUSES OF LORDS AND COMMONS.

EDITED BY

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P R E F A C E.

THE first series of the Annals, "Finance, Commerce, and Agriculture," opens with an examination by the Board of Customs of the commercial bearing of the Treaty of Commerce concluded with France, which caused some sweeping changes in our system of taxation. The removal from the tariff of so many articles which produced an insignificant amount of revenue, the total abolition of duties on manufactured articles, and the reduction of duties on wine, had indeed long been advocated and determined upon in this country as measures required in the interest both of our commerce and of our finances; but the time for accomplishing these reforms had scarcely come, having regard to the state of our finances, when the negotiations were opened for the conclusion of this Treaty of Commerce. It was, however, most fortunate that we have thus so effectually promoted the expansion of commerce with France, at a time when our trade with the United States has suffered so grievous a reduction. The well-digested observations of the Commissioners of Customs on the operation of the Custom duties on the consumption of articles of provision, render their annual reports more and more useful. An interesting return will be found under this series, showing the consumption of Tea during the last sixty years, from which it will be seen that the average quantity consumed per each individual of the population was 1 lb. 8 oz. in 1801, 1 lb. 4 oz. in 1811, 1821, and 1831, 1 lb. 6 oz. in 1841, 1 lb. 15 oz. in 1851, and 2 lb. 10 oz. in 1860; the average price in bond having diminished from 3s. per lb. in 1801 to 1s. 6½d. per lb. in 1860. The import duty on

the other hand was greatly lowered, from 3s. 5d. per lb. in 1809 to 1s. 5d. per lb. in 1860.

Under Series B, "Diplomacy and War," interesting papers are inserted regarding the condition of Christians in Turkey. The reports of Consul Finn of Jerusalem, of Consul Cathcart of Prevesa, and Consul Skene of Aleppo, give the most romantic sketches of the condition of many Turkish towns, and afford a close insight into those feuds which have so often produced the most lamentable results. Another evidence of the entrance of Turkey into the European family is the Treaty of Commerce concluded in 1861, and inserted entire in this volume. The brief paper on Christianity in China shows the difficulties previously interposed in China to the spread of Christianity; and the correspondence with China gives the details of the negotiation which preceded the war. Happily the last contest has completely changed the disposition of the Imperial Government. The facts connected with the fugitive slave Anderson, who, after many years' residence in Canada, was charged with the commission of murder in the State of Missouri, afford a useful commentary of the working of the treaty for the extradition of criminals between this country and the United States, and show the strong feeling prevailing in the British Empire against slavery. Further papers are given on Italian affairs which resulted in the recognition of Victor Emmanuel as King of Italy, and papers are inserted on the annexation of St. Domingo to Spain; whilst the report on the present system of recruiting in the army gives a good deal of information on the course of procedure on enlistment.

The most voluminous and important document under Series C, "Ecclesiastical Affairs and Education," is the Report of the Commissioners on Popular Education. That report enters into an elaborate examination of the Institutions for the Education of the Independent Poor; of the Teachers of Schools of the Independent Poor; of the Attendance of Children; of the Schools inspected and assisted, and of the Measures recommended; besides chapters on the Education of Pauper Children; on the Education of Vagrants and Criminals; on State Schools; and on Charit-

able Endowments. As the action of religious communities in the work of Education is becoming more and more prominent, it is interesting to observe the proportion of Scholars of Week-day and Sunday Schools belonging to the different denominations. A return of this nature was given by the Commissioners, and from this it appears that the Church of England had the largest number both of Week-day Scholars and of Sunday Scholars, viz., 76·2 and 45·8 per cent. The British Schools have 9·7 per cent. of Week-day Scholars and no Sunday Scholars. The Roman Catholics have more Week-day than Sunday Scholars, in the proportion of 5·52 to 1·5 per cent., whilst the Congregationalists have 11·2 per cent. Sunday, to 2·1 per cent. of Week-day Scholars. With the exception of the Church of England and the Roman Catholic Church, the proportion in Sunday Schools preponderates in every instance. The measures recommended by the Commission, since embodied in the Code, have quite revolutionized the system of Privy Council Grants. The Report of the Civil Service Commissioners shows that they are looking carefully not only to the ability but to the age and other qualifications of the candidates. The great prize offered of 80 valuable appointments for the Service of India does not seem as yet to be fully appreciated. It is interesting to find how many of the successful candidates are from the Queen's Colleges, Ireland. From the Report of the Committee of the Privy Council on Education, it appears that, in 1860, there were 60 Inspectors, who visited 10,000 Schools, having nearly 1,000,000 Children.

Series D, "Railway, Shipping, and Postal Communication," contains the important Report of the Commissioners on the Condition and Management of Lights, Buoys, and Beacons; a Report of the Committee of the House of Commons on Packet Contracts; the Report on the Post Office; and a complete Return on the extent and locality of our Shipping; showing that the tonnage of the British Empire, at the end of the year 1860, amounted to just 5,500,000 tons, of which nearly 1,000,000 tons belonged to the British Colonies. The Steam Vessels belonging to the British Empire amounted to nearly 500,000 tons.

Series E, "Justice and Crime," gives the Judicial Statistics of the United Kingdom, which are always replete with facts of great interest. In these returns we find a description of those who send the largest supply to our Criminal Courts and Gaols. It is singular to find that the Police have certain knowledge of the existence in England and Wales of as many as 117,000 persons whose life is wholly spent in crime and vice, comprising 34,000 known thieves and depredators; upwards of 4,000 receivers of stolen goods; 29,000 prostitutes; 33,000 suspected persons; and 18,000 vagrants and tramps. The Judicial Statistics of Scotland and Ireland are not yet so complete as those of England; and they afford no means of comparison of the number of the Criminal Classes. The Statistics of the proceedings of Civil Courts, now carefully collected in England, are yet a desideratum in Scotland and Ireland.

Upon the "Colonies and Dependencies," comprised under Series F, there will be found Papers on the Ionian Islands, showing the growing discontent of the Ionians as regards the English Protectorate, and their anxious desire to be united with Greece. The particulars relating to the Mission of Mr. Gladstone, as a Special Commissioner, are full of interest. We call the special attention of our readers to the copy of the new Law of Evidence enacted in British India, which embodies many improvements in that law not yet introduced in the United Kingdom. The Report on the Assinniboine and Saskatchewan Expedition, including the geology, natural history, topography, and meteorology of the region of the country lying to the west of Lake Winnipeg and Red River, will be read with interest.

Under Series G, "Population, Municipal and Parliamentary," much practical information will be found in the Reports on Births, Deaths, and Marriages in England and Scotland, where the economical condition of the country is reflected on and illustrated by the number and circumstances of those personal occurrences which make up the life of the nation. We trust similar reports will be soon issued for Ireland also. From a Table showing the percentage of deaths to the population in many States of Europe,

it seems that the greatest percentage of deaths is in Lower Austria, being 8·65 per cent. of deaths, and the lowest in Scotland, 2·06 per cent. In England the percentage is 2·21 ; in France, 2·36 ; in Sardinia, 2·91 per cent. The Reports of the Poor Law Boards are also of great importance, showing the relative state of Pauperism in England, Scotland, and Ireland, and more especially the effect of outdoor and indoor relief and the operation of the workhouse system.

Under Series H, "Health," there is a Report on the Hospitals of Dublin, and an Abstract of the new Act relating to the Unlawful Administering of Poison. Such is a brief outline of the contents of this Volume, which includes many documents of permanent value, and many which are full of interest, especially at the present time.

LEONE LEVI.

10, *Farrars Building, Temple,*
December, 1862.

FINE ARTS.

Report of the Commissioners on the Fine Arts.

On the 22nd November, 1841, a Commission was issued to his Royal Highness the Prince Consort, Lord Lyndhurst, Duke of Sutherland, Marquis of Lansdowne, Earl of Lincoln, Earl of Shrewsbury, Earl of Aberdeen, Lord John Russell, Lord Francis Egerton, Viscount Palmerston, Viscount Melbourne, Lord Ashburton, Lord Colborne, Right Hon. Charles Shaw Lefevre; Sir Robert Peel, Bart.; Sir James Graham; Sir Robert Inglis; and Benjamin Hawes, Henry Gally Knight, Henry Hallam, Samuel Rogers, George Vivian, and Thomas Wyse, Esqrs., for the purpose of inquiring whether advantage might not be taken of the re-building of the Palace of Westminster for the purpose of promoting and encouraging the Fine Arts in the United Kingdom, and in what manner an object of so much importance would be most effectually promoted.

On the 4th May, 1844, additional commissioners were appointed, viz., Viscount Mahon and Thomas Babington Macaulay. On the 4th August, 1845, Lord Willoughby d'Eresby was appointed. On the 19th March, 1846, Viscount Canning; on the 6th August, 1846, Viscount Morpeth; on the 8th February, 1856, Sir Benjamin Hall, Bart.; on the 22nd January, 1858, the Right Hon. John Evelyn Denison; on the 25th February, 1859, Lord John Manners; and on the 22nd February, 1860, the Right Hon. William Francis Cowper were respectively appointed Commissioners for the purpose aforesaid.

On the 21st February, 1861, the Commissioners reported as follows:—

We, the Commissioners appointed by your Majesty under a commission bearing date the 22nd day of November, 1841, for the purpose of inquiring whether advantage might not be taken of the re-building of your Majesty's Palace at Westminster—wherein your Majesty's Parliament is wont to assemble—for the purpose of promoting and encouraging the Fine Arts in your Majesty's United Kingdom, and in what manner an object of so much importance might be most effectually promoted, beg leave to submit to your Majesty a report respecting the works recommended by us to be undertaken.

Before entering on those details, we think it expedient—considering the position in which this commission is at present placed—to recapitulate the chief objects to which, in accordance with the duties prescribed to us by your Majesty, our attention has been directed; to refer to the arrangements with the Treasury by means of which, subject to the decision of the House of Commons, those objects have been, and are proposed to be, carried into effect; and to explain our reasons for desiring, under existing circumstances, to give especial encouragement to sculpture.

To the first object of inquiry committed to us by your Majesty, viz., whether advantage might not be taken of the re-building of your Majesty's Palace at Westminster, for the purpose of promoting and encouraging the Fine Arts in your Majesty's United Kingdom—we, in our first report, expressed our opinion that it would be expedient that advantage should be taken of such opportunity accordingly. In proceeding, in our first and second reports, dated respectively April, 1842, and July, 1843, to state the result of our inquiries with regard to the further question—in what manner an object of so much importance would be most effectually promoted—and

SERIES C.

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with regard to the mode in which, by means of the interior decoration of the Palace at Westminster, the Fine Arts of this country could be most effectually encouraged—we, in the first place, consulted the architect as to the manner in which various kinds of internal decoration would affect his intended architectural arrangements. The architect's statement, in answer to our inquiries, forms an important addition to our second report. Although various internal and other changes in the building were adopted subsequently to the date (February, 1843) of that statement, and although a far greater amount of decoration was proposed by the architect than we considered it advisable to recommend; yet, we were enabled, by means of the details presented to us, showing the greater or less fitness of various portions of the building for receiving works of Art, first to select those localities which we considered to be the best adapted for the proposed object, and then to proceed to the consideration of a general scheme of decoration suitable, in our judgment, to the portions of the building so selected.

In considering the intimate connection which subsisted in the best periods of Art between the higher departments of design and what is understood by decorative art, we were at first disposed to interpret in a wide sense the term "decoration;" and, accordingly, to give our attention to some of the subordinate as well as to the principal branches of art. In furtherance of this object we adopted means, as stated in our second and third reports, for inviting specimens in glass-staining and other arts, with the view of selecting the most competent artists in those departments.

But although this course was adopted in consequence of an understanding with the architect, experience proved that it was on many accounts advisable to leave with him the responsibility of all strictly decorative works. In the appendix to our sixth report we quoted a resolution passed at a meeting of the commission on the 5th of June, 1846, in which, after expressing our opinion that "decorative painting and other decorations, as wood-carving metal-work, &c., might be included among those branches of art which ought to be promoted on this occasion," and after referring to the notice issued by us in June and July, 1843, we stated:—"That this Commission has since found that the architect has undertaken, upon his own responsibility, the whole of the decorative work in reference to the several objects comprehended in the said notices, with the exception of stained-glass; though, even in this branch, the artist recommended by the commission has been instructed by the architect to adopt his designs, instead of following his own conceptions. That the Commissioners, under these circumstances, have abstained from any further interference with the decorative works in question, and think it their duty to state to the Lords of her Majesty's Treasury that they do not hold themselves responsible for the taste, or for the expenditure, of the decorations already adopted." The result has been that the only works of a merely decorative character which have been executed partly under our superintendence have been the stained-glass windows in the House of Lords, for which, with the assistance of a select committee, we furnished the subjects and recommended the artists, and the Tudor portraits subsequently executed in the Prince's Chamber.

Having thus explained to what extent we have undertaken the superintendence of works of art approaching to a decorative character, we beg leave to state to your Majesty that, in considering the more important duty prescribed to us, we conceive that while the immediate object, the decora-

tion of the Palace at Westminster, in which your Majesty meets your Parliament, dictated in a great measure the class of subjects in painting and sculpture to be selected, the ulterior and chief object—the promotion and encouragement of those arts—would to a certain extent further influence and modify such selection.

With regard to painting, we considered that both the objects referred to involved the question of the technical methods to be adopted. In deciding on the adoption of fresco-painting and the processes analogous to it presenting an unglossy surface, we were still desirous to afford opportunities for artists practising oil painting only, to contribute specimens of their abilities. That hope has, as yet, not been realised. In the course of repeated experiments, by placing oil pictures in situations for which, from the possibility of near inspection, they might have been apparently better adapted than fresco pictures, we have invariably found that the shining surface, under the existing conditions of lighting, has rendered them altogether unfit for those situations. We have, therefore, restricted the works in painting now in progress, either to fresco or to the water-glass process which has been for some years practised with good results in Germany.

Although this more absolute restriction has been in a manner compelled by the results of the experiments referred to, we believe that the technical processes adopted may have a beneficial influence on the practice of art—a consideration which weighed with us in originally proposing the partial introduction of the process of fresco. The execution of preparatory cartoons, involving the necessity of a greater study of drawing, and the simplicity of treatment which the more limited methods above mentioned suggest, have a tendency to direct the attention of the artist to the severer elements of design. We conceive, therefore, that an important part of the duty assigned to us—the promotion of art—is not unconnected with the question of technical methods.

As the restricted capabilities of those methods may influence the style of art and the practice of the artist, so it must be apparent that the choice of subjects may, to a certain extent, be circumscribed by the same conditions. This consideration was not overlooked in the important task of selecting subjects for painting. Of the mode in which that portion of our labours was performed we can speak with the less reserve, as the report of the committee appointed to select subjects in painting and sculpture with a view to the future decoration of the Palace at Westminster, embodied, together with the suggestions of other members, those especially of two distinguished historians now no more—Lord Macaulay and Mr. Hallam.

In our sixth report we humbly reported to your Majesty that we conceived it to be the duty of this commission, for the better guidance of present and future artists, and in order to maintain a character of harmony and unity worthy of such a building, to determine a complete scheme for the future decoration of the Palace. We were of opinion, that in determining such scheme the especial destination of each portion of the building should be attended to; that in the selection of subjects, the chief object to be regarded should be the expression of some specific idea; and the second, its illustration by means of some well-known historic or poetic incident adapted for representation in painting.

On this principle, the select committee above referred to, prepared their report, which is dated July, 1847. Having stated that they had, for the present, given their attention to subjects for painting, they referred only to

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such statues as had been previously recommended, or already erected. Those works comprehended six statues proposed, in our fourth report, to be placed in St. Stephen's porch; and twelve in marble, now erected in St. Stephen's Hall, of statesmen who rose to eminence by the eloquence and abilities which they displayed in the House of Commons. In our tenth report, dated July, 1854, we stated that we had commissioned John Gibson, R.A., to execute a marble statue of your Majesty, with accompanying figures, to be placed on the north side of the Prince's Chamber. That work has been completed. Some subordinate metal works in sculpture, in which the process of electrotpe casting has been successfully adopted, have also been executed under our superintendence. But, for all figures in stone, whether in the interior or on the outside of the building, this Commission is in no way responsible. A supplementary report of a recent select committee, respecting the statues of British sovereigns proposed to be placed in the Royal Gallery and its approaches, in pursuance of former recommendations, was prepared during the last year, and having been received and approved by us, we beg leave to append it to this our General Report. With the exception of such supplementary report, an entire scheme for the decoration of your Majesty's Palace at Westminster was completed, as above stated, in 1847. The questions remained—to what extent it would be advisable that this scheme should be accomplished? what portions of the proposed decoration should be first undertaken? and what estimates the Treasury would be disposed to submit to Parliament for carrying into effect the recommendations of the Commission? A correspondence on the last-mentioned subject—the amount of the annual grant—took place with the Treasury in 1849. The result is thus stated in our ninth report, dated March, 1850:—"We have further humbly to state to your Majesty, that the Lords Commissioners of your Majesty's Treasury had, in the last session of Parliament, submitted an estimate of 4,000*l.*, to defray the cost of various works proposed in our former reports, and sanctioned by your Majesty; and also partly to defray the cost of works now first proposed by us. In addressing their lordships on this subject, we expressed our opinion that we could not carry out the objects for which the Commission was appointed, nor fulfil our pledges to the artists and to the country, without being allowed to propose a fixed annual expenditure, of which we submitted an estimate. The result of such representation on the part of the Commission has been that their lordships have consented to propose an annual expenditure for the purposes referred to amounting to 4,000*l.*"

This arrangement is also adverted to in our two subsequent reports, dated respectively 1854 and 1858. The correspondence referred to, including a copy of the Treasury letter, dated the 4th of May, 1849, fixing the annual sum to be proposed to Parliament at 4,000*l.*, is added to this report, and it will be remarked that in that letter their lordships state that they are "satisfied that a smaller expenditure would not afford the means of properly fulfilling the objects for which the Commission was appointed."

The estimate of 4,000*l.*, which the Treasury thus consented to submit annually to Parliament, has never been exceeded. On the contrary, from various causes of delay, the balances of such annual grants are at present in advance of the works on which the artists are engaged. On this subject we beg leave to submit the following explanations:—In the instance of the Peers' Robing Room, to be painted by John Rogers Herbert, R.A., we entered into an agreement with him before the room which was to contain

the result of his labours was built, and some years before it was ready for him to work in. We adopted this course, knowing that considerable time would be required for the preparation of the designs. Since the completion of the room in 1858, there has undoubtedly been unnecessary delay in the preparation of cartoons, and in the progress of the wall-painting itself. We believe, however, that such delay on the part of the artist is to be attributed rather to repeated experiments, and to a conscientious study of the subjects committed to him, than to any feeling of indifference, or to any interruption from other occupations.

In the instances of the Peers' and Commons' corridors, to be painted respectively by Charles West Cope, R.A., and Edward Matthew Ward, R.A., the artists have had peculiar impediments to contend with. When it was resolved that the subjects intended for those corridors should be executed in fresco, and when it was found that, from various causes, it was not possible for the artists to paint on the walls, an expedient was adopted by preparing fresco grounds on moveable frames, so as to enable them to execute the paintings in some well-lighted apartment, but still within the building, in order to avoid the risk of moving from any greater distance frescoes so executed. Considerable difficulty has been experienced in providing such a locality for the artists to work in; the period, generally after the month of August, during which alone they can be allowed to make use of any room in the building, is too short to enable them to complete their frescoes before the winter. It is, therefore, now proposed to provide temporary sheds at the south end of the building, in which they can, at the most favourable season of the year for fresco painting, proceed uninterruptedly with their work.

The above are cases in which, from various causes of delay, the annual grants have more than sufficed to meet the claims of the artists. In another instance, that of the apartment called the Queen's Robing Room, to be painted by William Dyce, R.A., a different result has been experienced. The artist was, by the original agreement, allowed a fixed annual sum for a limited period, within which he undertook to complete the work. That period expired in June, 1855; the stipulated remuneration having been received by him. An additional year, ending June, 1856, was granted to him in consideration of his plea of loss of time while engaged as a juror and reporter in the great Exhibition of 1851. In 1854, on his application to have exclusive occupation of the robing room, we, with your Majesty's gracious permission, granted such privilege accordingly, on the new condition, founded on Mr. Dyce's assurances that the work should be completed in June, 1857, a period afterwards still further extended, as stated in our eleventh report, to the beginning of 1858. The work is, to our extreme mortification, still unfinished; the delay having occasioned, as we fear, great inconvenience to your Majesty in consequence of the long-continued and still exclusive occupation of the robing room by Mr. Dyce. The more recent interruption has arisen, it is understood, from ill health.

We have the greater reason for regretting any impediment to the completion of this work since the portion already executed is, in our judgment, highly creditable to the artist. In referring to works in progress, and in noticing the greater or less assiduity of the artists, we think it our duty to make especial mention of the unremitting industry of Daniel Maclise, R.A., now employed in painting the subject of the Meeting of Wellington and

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Blucher after the Battle of Waterloo, in one of the large compartments of the Royal Gallery.

Finding that the process of fresco-painting is imperfectly adapted for subjects containing a multiplicity of details, Mr. Maclise, with the sanction of this Commission, proceeded in the autumn of 1859 to Germany, in order to make researches into the practice of the stereochrome or water-glass method of painting. The result has been that he has adopted that process in the execution of the large wall-painting referred to. The notes which he has compiled on the subject, consisting of information derived from various sources, together with the results of his own subsequent experience, having been submitted to us, we beg leave to subjoin his statement to this report. The method has also found favour with Mr. Herbert, who having, after repeated experiments, modified it according to his own views, professes his entire satisfaction with it.

We entertain the hope that in the hands of such competent artists the advantages of this important process may be duly exemplified. The plan for the decoration of the royal gallery with paintings is detailed in our seventh report before referred to. The walls contain eighteen compartments for painting, two of which are 45 feet in length. Such a scheme is manifestly too vast to be completed in the life-time of one artist. This difficulty, which may present itself in other instances, leads us to observe, that while it must be considered essential to proceed in the decoration of the building, if at all, according to a comprehensive and definite plan, it is not in every case possible, even if it were desirable, that the work should be continued to its accomplishment uninterruptedly. When, therefore, so extensive a plan of decoration as that of the royal gallery is commenced, we conceive that the partial execution should be so conducted as that the work, when suspended, should, as far as possible, present a symmetrical arrangement. On this principle we have recommended that the two large compartments in the Royal Gallery should be completed first. But this method in the order of completion would be scarcely necessary in works of less magnitude. The apartments and corridors before mentioned, although, undoubtedly, comprehensive undertakings, do not separately involve greater labour than might be accomplished within a series of years by one industrious artist, provided there were no causes of delay or interruption such as those before adverted to.

With respect to works in painting, the uniformity of style and execution which is likely to result from the employment of one hand and mind must be regarded as a reason for entrusting a series of designs, or a sufficiently distinct portion of such series, to one and the same individual. But this is not the case with works in sculpture, from causes inherent in the nature of that art. A series of statues in a given locality may, without danger of undue incongruity of style, be allotted to different sculptors. The duration of any scheme of decoration by means of sculpture can, consequently, be calculated with more precision; while the undertaking itself can be more under control.

We are far from imputing the delays that have taken place in the execution of the pictorial decorations in your Majesty's Palace at Westminster to any unwillingness on the part of the artists, especially in the case of those who, having received more than their due as compared with the amount of work completed by them, and according to the terms of their agreement, have every motive for completing their task with honour.

We are of opinion that the employment in the Palace at Westminster of the best professors in painting may conduce to the credit of the artists and of the country. At the same time, when we consider the great encouragement which has of late years been extended to painting by opulent lovers of Art—a state of things which did not exist to the same extent when this Commission was appointed—we are bound to admit that those artists could, in almost every case, be more profitably, though not more honourably, employed in other and possibly less arduous undertakings.

But, in this instance also, we take a different view with regard to sculpture. We believe that every object which was contemplated in the appointment by your Majesty of this Commission would be fulfilled by the employment of eminent sculptors in entire or in partial execution of the scheme which we have humbly submitted for your Majesty's approval.

The sum of 1,600*l.* for two statues of the British sovereigns in series, which was inserted in the estimates for the last year, appears to have excited an apprehension that its adoption would involve the subsequent completion of the indefinite series of statues mentioned in the appendix to our fourth report.

From the subjoined recent report of the committee on statues, it will be seen that although the more limited scheme at present submitted comprehends a considerable series, it is by no means necessary that such scheme should be completed without interruption; on the contrary, it admits of being subdivided into four distinct classes; including, respectively, the statues proposed to be placed in the royal gallery, in the Queen's robing-room, in the vestibule, and on the lower landing-place. It will also be observed that the greater number of the statues are recommended to be different in material and dimensions from those proposed for the royal gallery, and that they will, consequently, be of much less cost.

In framing an estimate for the year 1861-62, to be approved by the Lords of your Majesty's Treasury, previously to its being submitted to Parliament, we considered that as the balances of former grants for the payment of works in painting are, as above explained, in advance of those works, it would be unnecessary, in the present year, to propose any additional estimates of that description. But, in the hope that the House of Commons would see the expediency, in fulfilment of the objects of this Commission, of voting a sufficient sum for the decoration of the royal gallery by means of sculpture, we proposed an estimate of 3,200*l.* for four statues of British sovereigns to be placed in that gallery. While our estimate this year is thus, for the first time, less than that which the Lords of your Majesty's Treasury, in their letter of 1849 before referred to, had consented to propose annually to Parliament, your Majesty's Commissioners trust that this will not be considered as implying on their part the expression of an opinion that a less sum than that fixed in 1849 would suffice to accomplish the important objects for which this Commission was appointed—objects which we rejoice to think your Majesty has always at heart, as intimately connected with the progress of the nation.

TURNER'S PICTURES.

Report of the Select Committee of the House of Lords to consider and report in what manner the conditions annexed by the Will of the late Mr. Turner, R.A., to the bequest of his Pictures to the Trustees of the National Gallery can best be carried out. And having completed such inquiry, then to consider and report the measures proper to be taken with respect to the Vernon Gallery, and the prospective measures proper to be taken with respect to any future gifts of the same kind.

THE Committee was appointed on the 15th July, 1861, and it consisted of the Lord President, Marquis of Lansdowne, Marquis of Salisbury, Marquis of Northampton, Earl of Derby, Earl Stanhope, Lord Foley, Lord Colchester, Lord Ashburton, Lord Stanley of Alderley, Lord Monteaigle of Brandon, Lord Elgin, Lord Overstone, Lord Cranworth, Lord St. Leonard, Lord Chelmsford, and Lord Taunton. The Committee examined Sir Charles Lock Eastlake, P.R.A., director of the National Gallery; Richard Redgrave, R.A., art referee and adviser in matters of art in the Department of Science and Art at South Kensington; Ralph N. Wornum, keeper of the National Gallery; James Pennethorne, architect to the Commissioners of Works; the Right Hon. Lord Overstone; and Viscount Hardinge. On the 30th July, 1861, the committee reported as follows:—

That the committee have met and considered the subject-matter referred to them, and have come to the following resolutions, viz.:—

That the late Mr. Turner, R.A., by his will gave to the trustees of the National Gallery his picture of "Dido building Carthage," and his picture formerly in the De Tabley collection, for ever, subject to the direction that they should be kept and placed always between the two pictures painted by Claude, the "Seaport" and the "Mill;" and the right of the trustees to these pictures was declared by the decree after mentioned; and the two pictures have ever since been, and now are, placed in the National Gallery between the two Claudes, according to Turner's will.

That Mr. Turner made several codicils to his will; by the first codicil, which was superseded by the later ones, he desired a gallery to be erected for his pictures (except the two given by his will), and that they should be maintained and exhibited as a separate collection, to be called "Turner's Gallery:" by the second codicil he gave his finished pictures (except the "Dido" and the "De Tabley" pictures) to the trustees of the National Gallery, provided that a room or rooms were added to the National Gallery, to be entitled "Turner's Gallery;" in the meantime they were not to be removed until rooms were built; the trustees of the National Gallery were not to have any power over the pictures unless his wish was fully carried out by them; it was his will that either such pictures should remain and be called "Turner's Gallery," and be the property of the nation, or to remain at his house as one entire gallery, to be viewed gratuitously; if the lease could not be renewed the pictures were to be sold: by the third codicil, if the National Gallery should not carry out the provisions in the second codicil within five years, on or before the expiration of the lease of his present gallery, then he declared his bequest to the National Gallery to be void; and in that case his gallery to be continued upon the terms mentioned in his last codicil: by the fourth and last codicil he limited ten years

for offering his finished pictures to the National Gallery; if rooms were not built, the pictures were to be exhibited gratuitously during the existence of the lease of his Queen Anne-street house, except the last two years, and then the pictures were to be sold. By the decree of the Court of Chancery, made in March, 1856, the court declared that all the pictures, drawings, and sketches, wholly or partially by the testator's hand, without any distinction of finished or unfinished, were to be deemed as well given for the benefit of the public, and were to be retained by the trustees for the time being of the National Gallery.

That under the above testamentary dispositions and the decree of the Court of Chancery, the nation is now in possession of 362 pictures painted by Turner, and of a very large number of water-colour drawings of the highest excellence; and the nation ought, in the opinion of this House, to carry out the conditions annexed to the gift in like manner as the conditions annexed to the gift of the two pictures now between the two Claudes, have been complied with.

That, for want of a room to receive them at the National Gallery, the pictures are now at Kensington, but the power of the trustees of the National Gallery has been preserved over them; and it was publicly announced that they were removed to Kensington only as a temporary measure.

That Turner died in December, 1851, and, in the opinion of this House, no further delay should take place in providing a room or rooms for the reception and exhibition of his pictures and drawings, now the property of the nation, in connection with the National Gallery, to be called "Turner's Gallery."

That it is expedient that the finished pictures by Turner should be forthwith deposited and properly hung in one of the rooms of the present National Gallery, according to the plan which Mr. Wornum, the keeper, has stated in his evidence that he is prepared to carry out.

But this arrangement, as it will necessarily involve considerable inconvenience in the exhibition of the pictures now in the National Gallery, must be considered as of a strictly temporary character, pending the execution of some more enlarged and comprehensive plan.

That, with a view to provide such accommodation, Mr. Pennethorne, the architect, has stated in his evidence, that he can undertake to erect rooms fully sufficient for the reception of the Turner pictures at the back of the present National Gallery, within a period of time not exceeding twelve months, and at a cost not to exceed twenty-five thousand pounds.

That unless some reasonable prospect of seeing a noble gallery, worthy of the fine collection of pictures by the ancient masters and British artists which the country now possesses, and which is, year by year, receiving additions of great importance, erected upon a comprehensive plan on the present or any other site, it appears desirable that steps should be forthwith taken for making the limited addition to the present gallery suggested by Mr. Pennethorne.

And the Committee have directed the minutes of evidence taken before them, together with an appendix, to be laid before your lordships.

30th July, 1861.

PUBLIC GENERAL STATUTES.

23° & 24° VICTORIA, 1860.

SERIES C.—ECCLESIASTICAL AFFAIRS AND EDUCATION.

ENGLAND.

ENDOWED SCHOOLS.

CAP. XI.—*An Act to amend the Law relating to Endowed Schools.* (31st March, 1860.)

Power was granted to trustees of endowed schools to make orders for the admission of children of parents not in communion with the Church sect or denomination according to which the religious instruction is to be afforded under the endowment of the schools. The Act not to apply to grammar schools, or to Scotland or Ireland.

OXFORD UNIVERSITY.

CAP. XXIII.—*An Act to provide for the Consideration of an Ordinance which has been laid before Parliament in a Report of the Oxford University Commissioners.* (25th May, 1860.)

Power granted to Her Majesty to refer the said ordinance and declaration to a Committee of the Privy Council. The committee to consider the same and report to Her Majesty.

UNIVERSITIES AND COLLEGES ESTATES.

CAP. LIX.—*An Act to extend the provisions of the Universities and Colleges Estates Act, 1858, and of the Copyhold Acts, and of the 3rd and 4th years of the reign of Her Majesty, chap. 113, and of the 17th and 18th years of the same reign, chap. 84, so far as the same relate to Universities and Colleges.* (6th August, 1860.)

CATHEDRAL CHURCH, MANCHESTER.

CAP. LXIX.—*An Act to enable the Ecclesiastical Commissioners for England to apply certain Funds towards the Repairs of the Cathedral or Collegiate Church in Manchester.* (6th August, 1860.)

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CRAVEN SCHOLARSHIPS.

CAP. XCI.—*An Act for removing doubts respecting the Craven Scholarships in the University of Oxford, and for enabling the University to retain the Custody of certain Testamentary Documents.* (13th August, 1860.)

COMMUTATION OF TITHES.

CAP. XCIII.—*An Act to amend and further extend the Acts for the Commutation of Tithes in England and Wales.* (13th August, 1860.)

IRELAND.

MAYNOOTH.

CAP. CIV.—*An Act to enable the Trustees of the Royal College of Saint Patrick at Maynooth, to make Provision for certain necessary Buildings and Repairs.* (20th August, 1860.)

INDUSTRIAL SCHOOLS.

CAP. CVIII.—*An Act to amend the Industrial Schools Acts, 1857.* (28th August, 1860.)

The powers of the Committee of Council of Education, under the 20 & 21 Vict., c. 48, were transferred to the Secretary of State.

ECCELESIASTICAL COMMISSIONERS.

CAP. CXXIV.—*An Act further to amend the Acts relating to the Ecclesiastical Commissioners, and the Act concerning the management of Episcopal and Capitular Estates in England.* (28th August, 1860.)

The lands of each See to vest in the Commissioners on the next avoidance. Lands sufficient to afford the statutory income to be secured to each See. Like arrangement may be made before next avoidance on the request of the bishop. The Estates Committee is to see that the property assigned as endowment is kept in proper condition. In mining districts the Commissioners may make grants for the cure of souls. The other provisions of the Act apply to mode of granting leases, &c.

UNION OF CONTIGUOUS BENEFICES.

CAP. CXLII.—*An Act to make provision for the Union of Contiguous Benefices in cities, towns, and boroughs.* (28th August, 1860.)

Contiguous benefices within the metropolis may be united, and power given to the bishop to issue commissions to report on the expediency of the proposed union. Upon the report of such commission the bishop is to prepare and transmit proposals for a scheme to the churchwardens and vestry, and the vestry is to notify their assent or objections. This being obtained, the bishop will transmit the final proposals to the Ecclesiastical Commissioners to prepare a scheme. The surplus revenue of the united benefices may be annexed as an endowment to any other benefice in the metropolis or its vicinity.

SCOTLAND.

ANNUITY TAX.

CAP. L.—*An Act to abolish the Annuity Tax in Edinburgh and Montrose, and to make provision in regard to the Stipends of the Ministers in that city and burgh, and also to make provision for the Patronage of the Church of North Leith.* (23rd July, 1860.)

The annuity tax was abolished and commissioners were appointed to carry the Act into effect. The administration of city churches was transferred from the magistrates and council to the commissioners. The pews in the city churches to be let by the Kirk Sessions, and the surplus of the rents to be paid to the commissioners. The commissioners to provide for the repairs of the churches and other expenses out of the surplus of the seat rents. Bonds of annuity to be granted by the city for the annual sum of 4,200*l.*, and the property of the city to be disposed in security of the payment of the annuity. As long as the annuities are regularly paid the administration of the property of the city by the magistrates and council not to be interfered with. The stipends of 600*l.* each to the ministers of the thirteen city churches to be paid out of the moneys received by the commissioners. The patronage of the church of North Leith to be transferred from the "hail inhabitants," and vested in the heritors and communicants.

INDUSTRIAL MUSEUM.

CAP. CXVII.—*An Act to confer powers on the Commissioners of Her Majesty's Works and Public Buildings, to acquire certain property in Edinburgh for the erection of an Industrial Museum for Scotland.* (28th August, 1860.)

IRELAND.

SMALL BENEFICES.

CAP. LXXII.—*An Act to promote and facilitate the Endowment and Augmentation of Small Benefices in Ireland.* (6th August, 1860.)

Where the benefice is of less value than 50*l.* an endowment of not less than 75*l.* may be made.

CHURCH TEMPORALITIES.

CAP. CL.—*An Act further to amend certain Acts relating to the Temporalities of the Church in Ireland.* (28th August, 1860.)

TURNPIKE TRUSTS.

*General Report made by direction of the Secretary of State, under
Act 3 & 4 William IV. c. 80.*

THE following statement shows the comparative condition of the trusts in England and North Wales in the years 1837, when the highest amount of revenue from tolls was received, and 1858, respectively. The receipts were as follows:—From tolls, in 1837, 1,509,985*l.*; in 1858, 1,020,656*l.* From other sources, in 1837, 189,443*l.*; in 1858, 62,754*l.* Total, 1837, 1,699,428*l.*; 1858, 1,083,410*l.* The expenditure in 1837 amounted to 1,742,237*l.*; in 1858, 1,070,838*l.* The bonded debt in 1837 was 7,011,989*l.*; in 1858, 4,980,130*l.* The unpaid interest in 1837, 1,019,568*l.*; in 1858, 783,191*l.* The toll income has thus fallen off from 1,509,985*l.* to 1,020,656*l.*, being a decrease of 489,328*l.* Within the same period of 21 years the annual sum expended in repairing the roads, after deducting the parish aid, has been reduced 345,480*l.*; or, from 913,988*l.* in 1837, to 568,508*l.* in 1858. The percentage of the tolls applied to different items of expenditure was as follows:—55·70 per cent. was spent for repairs of road, 9·74 per cent for salaries and law charges, 28·96 per cent for payment of debt and interest, and 5·60 per cent. other payments or in hand. The accounts from each county show, that in 23 counties the toll income decreased 21,181*l.*; in 15 counties an increased sum of 4,979*l.* was expended in repairing the roads; while in 31 counties the cost of repairs was reduced 18,820*l.*; making the net decrease, in 1858, 13,841*l.*, exclusive of the value of statute duty performed. The toll income has been reduced, more or less, in each county except Cornwall, Carnarvon, Merioneth, and Montgomery. The reduction in Hertfordshire exceeded two-thirds, and in Bedford, Bucks, Essex, and Rutland, was more than one-half. The total reduction was above half a million, or 510,431*l.* The cost of repairing the roads has been increased in two counties only, Merioneth and Montgomery; while in Hertfordshire the cost has been reduced above two-thirds, and in several counties upwards of one half. The total reduction was 341,425*l.* The bonded or mortgage debts have increased in Dorset, Carnarvon, and Montgomery, but in all the other counties the debts have been reduced, in some cases to a considerable extent, as in Essex, Herts, Middlesex, Rutland, Surrey, Worcester, and Anglesea. Out of the toll income arising from the 961 trusts in debt, about 52·61 per cent was applied towards the payment of the repairs of the road, and about 35·37 per cent was applied towards the payment of the debt and interest.

The receipts and expenditure of turnpike roads in North and South Wales have been as follows in 1849 and 1858:—The receipts were, in 1849, 35,743*l.*; in 1858, 38,844*l.* The expenditure, in 1849, 36,298*l.*; in 1858, 38,466*l.* The balance of principal debts, in 1859, was 146,538*l.*

INCLOSURE COMMISSION.

Report of the Inclosure Commissioners for 1860.

THE number of applications of all kinds since the passing of the Acts has been 3,355. The number of cases since the last report was 329. The number of applications for inclosures up to last report was 858; in 1860, 50. Total, 908. Of these, 532 were confirmed, 132 were otherwise disposed of, and 244 were in progress. The number of applications for exchanges prior to last report was 1,990; in 1860, 259. Total, 2,249. Of these, 1,807 were confirmed, 223 were otherwise disposed of, and 219 were in progress. The total of applications was, previous to last report, 3,026; in 1860, 329. Total, 3,355. Of these, 2,485 were confirmed, 383 were otherwise disposed of, and 487 were in progress. The average of inclosures confirmed was 347,943 acres; in progress, 194,347 acres. The average expense of the inclosure proceedings, as far as the office of the Commission is concerned, up to the time of the assents to the provisional orders, including any expense which may have attended these assents, and which leaves the case ready for Parliament to deal with, is 15*l.* 18*s.* 7*d.*

DUBLIN HOSPITALS.

Fourth Annual Report of the Board of Superintendence of Dublin Hospitals.

THE inspectors reported that the total income of the nine hospitals under their inspection was 25,590*l.* from all sources, and the expenditure, 25,780*l.* 15*s.*; that 11,536 patients were admitted, 11,208 discharged, and 457 died in the year. The statistics of disease in the Cork Street, Hardwicke, and Meath hospitals showed a considerable admission of cases of smallpox annually, and a large mortality from that disease; though the directors of the Dublin Row Park institution, and the medical officers of the North and South Poor-Law Unions vaccinated all applicants gratis, and have done so for many years. During the years 1859 and 1860, 257 cases of smallpox have been admitted into the three above-mentioned hospitals, of whom 42 died.

PUBLIC GENERAL STATUTES.

23° & 24° VICTORIÆ, 1860.

SERIES H.—HEALTH, INCLOSURES, &c.

GREAT BRITAIN AND IRELAND.

MEDICAL ACTS AMENDMENT.

CAP. VII. *An Act to amend the Medical Acts.* (23rd March, 1860.)

Licentiates in surgery of any university in Ireland to be registered under the 21st and 22nd Vict., c. 90, and 22nd Vic., c. 21, in like manner as masters in surgery.

ADMINISTERING OF POISONS.

CAP. VIII.—*An Act to amend the Law relating to the unlawful administering of Poison.* (23rd March, 1860.)

Any person maliciously administering poison with intent to endanger life or inflict grievous bodily harm, to be guilty of felony. Any person maliciously administering poison with intent to injure, aggrieve, or annoy any other person, to be guilty of a misdemeanor. If the jury be not satisfied that any person charged is guilty of felony, but think he is guilty of misdemeanor, they may find him guilty accordingly.

MEDICAL ACT.

CAP. LXVI.—*An Act to amend the Medical Act, 1858.* (6th August, 1860.)

New charters may be granted to the corporations of physicians as colleges. Colleges to retain all existing rights notwithstanding change of name.

COPYHOLD AND INCLOSURE COMMISSIONS.

CAP. LXXXI.—*An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts.* (6th August, 1860.)

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ENGLAND.

INCLOSURE.

CAP. XVII.—*An Act to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales.* (15th May, 1860.)

CAP. LV.—*An Act to authorize the Inclosure of certain Lands, in pursuance of a special Report of the Inclosure Commissioners.* (6th August, 1860.)

LOCAL BOARDS OF HEALTH.

CAP. LXIV.—*An Act to make further provision for the Expenses of Local Boards of Health and Improvement Commissioners acting as Burial Boards.* (6th August, 1860.)

NUISANCES REMOVAL.

CAP. LXXVII.—*An Act to amend the Acts for the removal of Nuisances and the prevention of Diseases.* (6th August, 1860.)

Certain local authorities were appointed to execute the Act. The expenses to be defrayed either out of general district rate or out of a borough rate. Any person doing anything whereby any fountain or pump is damaged, or the water of any well, fountain and pump is polluted or fouled, to forfeit a sum not exceeding 5*l*. Inspectors of nuisances to be appointed. Local authorities may provide carriages for conveyance of infected persons. The justices, on the application of householders, may order the removal of nuisances.

IRELAND.

BURIAL GROUNDS.

CAP. LXXVI.—*An Act to amend the Burial Grounds (Ireland) Act, 1856.*

The provisions of the recited Act to be extended to additions to existing burial grounds. When the burial ground is not fenced or kept in decent order by the owner, the burial board may serve a notice requiring the same to be fenced.

PUBLIC GENERAL STATUTES.

23° & 24° VICTORIA, 1860.

SERIES G.—POPULATION, MUNICIPAL, &c.

UNITED KINGDOM.

ROMAN CATHOLIC CHARITIES.

CAP. CXXXIV.—*An Act to amend the Law regulating Roman Catholic Charities.* (28th August, 1860.)

Charities for lawful purposes not to be invalidated by the addition of unlawful trusts, but the property may be apportioned and the whole applied to lawful purposes. No proceedings to be instituted as to dealings with Roman Catholic Charities prior to the 2nd & 3rd Will IV., c. 115.

GREAT BRITAIN AND IRELAND.

INDEMNITY.

CAP. XL.—*An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the time limited for these purposes respectively.* (23rd July, 1860.)

JEWS' ACT AMENDMENT.

CAP. LXIII.—*An Act to amend the Act of the 21st & 22nd Vict., c. 49, to provide for the relief of her Majesty's Subjects professing the Jewish Religion.* (6th August, 1860.)

Whenever the House of Commons shall order that any resolution agreed to pursuant to the first section of the 21st & 22nd Vict., c. 49, shall be a standing order of the House, any member professing the Jewish religion may be sworn pursuant to such standing order so long as the same shall continue in force, and such member may, in taking the oaths of supremacy, omit the words, "and I make this declaration upon the true faith of a Christian."

SERIES G.

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ADULTERATION OF FOOD OR DRINK.

CAP. LXXXIV.—*An Act for preventing the Adulteration of articles of Food or Drink.* (6th August, 1860.)

Every person who shall sell any article of food or drink with which, to the knowledge of such person, any ingredient or material injurious to the health of persons eating or drinking such article has been mixed; and every person who shall sell as pure and unadulterated any article of food or drink which is adulterated or not pure, to be subject to a penalty of 5*l*. Power was given to the Town Councils to appoint analysts, and any purchaser of any article of food or drink may, on payment to the analyst of a sum not less than 2*s*. 6*d*. nor more than 10*s*. 6*d*., have such article analyzed. The justices also may have articles of food and drink analyzed.

CORRUPT PRACTICES PREVENTION.

CAP. XCIX.—*An Act to continue the Corrupt Practices Prevention Act, 1854.* (20th August, 1860.)

GUNPOWDER.

CAP. CXXXIX.—*An Act to amend the Law concerning the making, keeping, and carriage of Gunpowder and compositions of an explosive nature, and concerning the manufacture, sale, and use of Fireworks.* (28th August, 1860.)

No such manufacture to be carried on except in mills and other places lawfully used for it or licensed for the purpose. The quantity of gunpowder made under any single pair of mill-stones not to exceed 50 lbs., as respects sporting and Government powder, and 60 lbs. as respects all inferior powder, and every incorporating mill to be provided with a charge house for the store of mill, and situate at a safe and suitable distance. The quantity of gunpowder to be subjected to pressure at one time in any press-house shall not exceed 10 cwt. The quantity of gunpowder to be corned or granulated not to exceed 12 cwt. at one time. The quantity to be dried not to exceed 50 cwt. at one time. Power given to the Secretary of State to sanction the continuance or construction of any magazine within the prescribed distance. No charcoal to be kept within twenty yards of any mill. Regulations were made also as to the making of loaded percussion caps and the making and keeping of ammunition. No person to sell fireworks without a licence. Any person throwing fireworks in a public thoroughfare to be subject to a penalty of 5*l*. No person, being a dealer in gunpowder, can keep more than 200 lbs. of gunpowder, and, not being a dealer, more than 50 lbs. of it, in any house, mill, or magazine. Gunpowder may be kept for mines under certain conditions.

SALE OF GAS.

CAP. CXLVI.—*An Act to amend the Act for regulating Measures used in sale of Gas.* (28th August, 1860.)

The time specified in the said Act, 22nd & 23rd Vict., c. 66, to be calculated as if the 13th of October had been the date of the passing of the Act.

ENGLAND AND IRELAND.

MARRIAGES.

CAP. XVIII.—*An Act to amend the Acts relating to Marriages in England and Ireland, by extending certain provisions thereof to Persons professing with the Society of Friends called Quakers.* (15th May, 1860.)

Marriages of Quakers may be solemnized in cases where one only or where neither of the parties shall be a member of the Society of Friends, provided the party or parties who shall not be a member or members of the society shall profess with, or be of the persuasion of the said society. Enactments now in force shall extend to every marriage contracted under the authority of this Act.

ENGLAND.

MARRIAGES.

CAP. I.—*An Act to render valid certain Marriages in the Chapel of St. Mary, in Rydal, in the County of Westmoreland.* (12th March, 1860.)

ENGLAND AND IRELAND.

MUNICIPAL CORPORATION MORTGAGES.

CAP. XVI.—*An Act to make further provision concerning Mortgages and other dispositions of Property belonging to Municipal Corporations in England and Ireland.* (15th May, 1860.)

The Treasury in approving mortgages by municipal corporations may require money borrowed to be repaid within a limited time by instalments or by a sinking fund. When money paid into the bank for the purchase of land of a municipal corporation, taken under an Act of Parliament, is paid out, the Treasury may require provision to be made for replacing the amount. Councils of cities or boroughs may acquire lands with the consent of the Treasury.

EXTRA-PAROCHIAL MARRIAGES.

CAP. XXIV.—*An Act to remove Doubt as to the validity of certain Marriages in Extra-Parochial Places.* (25th May, 1860.)

Marriages may be authorized by the bishop in chapels in extra-parochial places, and such marriages shall be valid. When one of the parties resides in a different district, the banns are to be published in the church or chapel where such marriage is to be celebrated, as well as in the chapel of the district where the party resides.

PUBLIC IMPROVEMENTS.

CAP. XXX.—*An Act to enable a majority of two-thirds of the Ratepayers of any Parish or District duly assembled to rate their district in aid of Public Improvements for general benefit within their district.* (3rd July, 1860.)

Ratepayers may hold land for the purpose of forming public walks, exercise or play-grounds, and to levy rates for maintaining the same. The Act may be adopted for any borough or for any parish having a popu-

lation of five hundred or upwards. After the adoption of this Act, ratepayers in meeting assembled may rate such parishes to a separate rate, called "The ——— Parish Improvement Rate," provided that such rate be agreed to by a majority of at least two-thirds in value of the ratepayers assembled at such meeting.

TENISON'S CHARITY.

CAP. XLIII.—*An Act for confirming a scheme of the Charity Commissioners for the administration of Archbishop Tenison's Charity in the parish of St. Martin-in-the-Fields, in the City of Westminster.* (23rd July, 1860.)

ENGLAND.

LOCAL GOVERNMENT ACT.

CAP. XLIX.—*An Act to confirm certain provisional Orders under the Local Government Act (1858) relating to the districts of Southampton, Leicester, Epsom, Coventry, Ipswich, Wells, Fareham, Scarborough, Ludlow, Banbury, Boston, Penrith, Barnsley and Shipley, and for other purposes in relation thereto.*

LOCAL TAXATION.

CAP. LI.—*An Act to provide for an annual return of Rates, Taxes, Tolls, and Dues levied for local purposes in England.* (23rd July, 1860.)

Clerks of bodies empowered to levy rates, &c., to make annual returns to the Secretary of State, and abstracts of returns to be laid before Parliament.

METROPOLITAN BUILDINGS.

CAP. LII.—*An Act to alter and amend the Metropolitan Building Act, 1855.* (23rd July, 1860.)

The rules as to cubical dimensions of the Metropolitan Building Act, 1855, not to apply to buildings to be used for the manufacture of machinery and boilers of steam-vessels, provided that such building shall consist of one floor only.

CENSUS.

CAP. LXL.—*An Act for taking the Census of England.* (6th August, 1860.)

The Secretary of State to superintend the census, and enumerators to be appointed; schedules to be prepared for the purpose of being filled up by the occupiers of dwelling-houses with particulars of the name, sex, age, rank, profession, or occupation, condition, relation to head of family, and birth-place of every living person who abode in every house on the night of Sunday, the 6th April, 1861. Occupiers to fill up the schedules, and sign and deliver the same to the enumerator. Returns to be got of houseless poor and of persons travelling, or on seaboard. Penalty for refusing information, or giving false answers, a sum not exceeding five pounds nor less than twenty shillings.

POOR-LAW BOARD CONTINUANCE.

CAP. CI.—*An Act to continue the Poor-Law Board.* (20th August, 1860.)

GREAT BRITAIN AND IRELAND.

LANDS CLAUSES CONSOLIDATION.

CAP. CVI.—*An Act to amend the Lands Clauses Consolidation Acts, 1845, in regard to sales and compensation for land by way of a Rent-Charge, Annual Feu Duty, or Ground Annual; and to enable Her Majesty's Principal Secretary of State for the War Department to avail himself of the powers and provisions contained in the same Acts.* (20th August, 1860.)

ENGLAND.

LOCAL GOVERNMENT.

CAP. CXVIII.—*An Act to confirm certain provisional orders under the Local Government Act (1858) relating to the Districts of Nottingham, Sunderland, Hastings, Reading, Chatham, Dartmouth, Tunbridge Wells, Sheerness, Sandgate, Wilton, Bridgnorth, and Dorchester.* (28th August, 1860.)

SUPPLY OF GAS.

CAP. CXXV.—*An Act for better regulating the supply of Gas to the Metropolis.* (28th August, 1860.)

CHARITIES.

CAP. CXXXVI.—*An Act to amend the Law relating to the Administration of Endowed Charities.* (28th August, 1860.)

Certain administrative powers to be exercisable by the Charity Commissioners. The board to notify to the trustees of the charity their intention of exercising jurisdiction, but the powers to be exercisable over no charities of which the gross income shall exceed 50*l.*, without an application on the part of the trustees. The board shall not exercise jurisdiction over contentious cases. Masters and mistresses of endowed schools to be removable. A majority of trustees to have power of dealing with the charity estates.

SCOTLAND.

ASSESSMENT.

CAP. XXXVII.—*An Act to levy an Assessment in the County of Inverness, to discharge a debt on the Castle Stewart and Nairn Road in the said county.* (23rd July, 1860.)

MUNICIPAL COUNCILLORS.

CAP. XLVII.—*An Act to amend the Law relative to the Legal Qualification of Councillors and the admission of Burgesses in Royal Burghs in Scotland.* (23rd July, 1860.)

Section 14 of 3 & 4 Will. IV. c. 76, an Act on the election of magistrates and councils of the royal burghs in Scotland repealed. Electors of members of council may be admitted as burgesses on certain conditions.

REGISTRATION OF BIRTHS.

CAP. LXXXV.—*An Act to amend two Acts of the 17th and 18th years, and of the 18th year of her present Majesty, relating to the Registration of Births, Deaths, and Marriages in Scotland.* (6th August, 1860.)

Any person may, on payment of a fee of five shillings, register in a book to be kept for the purpose in the general registry office, to be called "The Register of Neglected Entries," any birth, death, or marriage which shall have taken place in Scotland between the 31st December, 1800 and the 1st January, 1855. All existing parochial registers before 1820 to be transmitted to the Registrar-General, and after 1820 till 1855 to the parish registrar. Sessional record to be restored to the kirk session of the parish.

LABOURERS' COTTAGES.

CAP. XCV.—*An Act to facilitate the Building of Cottages for Labourers, Farm Servants, and Artisans, by the proprietors of entailed estates in Scotland.* (13th August, 1860.)

The provisions of the 10 Geo. III. c. 51, of 11 & 12 Vict. c. 36, and 16 & 17 Vict. c. 94, as to improvements of entailed estates, to include the erection of cottages. The erection of cottages to be held as permanent improvements.

POLICE AND TOWN IMPROVEMENT.

CAP. XCVI.—*An Act to amend the Police of Towns Improvement Act, so as to enable towns and populous places in Scotland to avail themselves of its provisions for Sanitary and other Improvements, without at the same time adopting its provisions as regards the establishment and maintenance of a Police Force.* (13th August, 1860.)

The householders of any burghs may adopt certain provisions of the 13 & 14 Vict. c. 33, without those for the establishment of police, and two or more contiguous burghs, &c. may adopt the provisions of the recited Act.

CENSUS.

CAP. XCVIII.—*An Act for taking the Census in Scotland.* (20th August, 1860.)

The Secretary of State to superintend the census. Schedules to be prepared for the purpose of being filled up by the occupiers of dwelling-houses with particulars of the name, sex, age, rank, profession or occupation, condition, relation to head of family, and birthplace of every living person who abode in every house on the night of the 7th April, 1861; and also whether any were blind or deaf and dumb; and also whether any, and how many, of such persons, being of the age of from 5 to 15 years, attended school during the week preceding.

TITLES TO LAND.

CAP. CXLIII.—*An Act to extend certain provisions of the Titles to Land (Scotland) Act, 1858, to Titles to Land held by Burgage Tenure, and to amend the said Act.* (28th August, 1860.)

Instruments of seisin no longer necessary, and conveyances may be recorded. Certain clauses of the conveyance are not necessary to be recorded. Notarial instruments in favour of persons acquiring rights to unrecorded conveyances authorized. The recorded instruments are not to be challenged on the ground of erasures. Deeds and instruments may be partly written and partly printed or engraved.

IRELAND.

DWELLINGS FOR THE LABOURING CLASSES.

CAP. XIX.—*An Act to extend the Act to facilitate the Improvement of Landed Property in Ireland, and the Acts amending the same, and to further provide for the creation of Dwellings for the Labouring Classes in Ireland.* (15th May, 1860.)

Loans may be made out of money granted for the improvement of landed property in Ireland, for the erection of dwellings for the labouring classes.

LODGING-HOUSES.

CAP. XXVI.—*An Act to remove doubts as to the application of "The Common Lodging-Houses Acts" to Ireland, and to amend the provisions of the same so far as they relate to Ireland.* (25th May, 1860.)

PHOENIX PARK.

CAP. XLII.—*An Act to vest the management of the Phoenix Park in the Commissioners of Public Works in Ireland.* (23rd July, 1860.)

POOR-LAW COMMISSIONERS.

CAP. CXLVIII.—*An Act to continue the powers of the Poor-Law Commissioners in Ireland.* (28th August, 1860.)

TENURE AND IMPROVEMENT OF LAND.

CAP. CLIII.—*An Act to amend the Law relating to the Tenure and Improvement of Land in Ireland.* (28th August, 1860.)

A limited owner, or any person entitled under any existing settlement for his own benefit to the possession or receipt of the rent of land, to be entitled to compensation for improvements, including drainage, reclaiming of land, protection of land by embankment, reclaiming bog land, making roads or fences, erection of farm buildings, houses for stewards, labourers, &c., and the renewal or reconstruction of such works. The limited owner, including any body corporate shall have the power to grant agricultural leases. The tenant also to be entitled to compensation for improvements, and the labour of the tenant in the making of such improvement to be taken into account.

LANDLORD AND TENANT.

CAP. CLIV.—*An Act to consolidate and amend the Law of Landlord and Tenant in Ireland.* (28th August, 1860.)

CENSUS.

CAP. LXII.—*An Act for taking the Census of Ireland.*

The police force to take an account in writing of the number of persons dwelling in every house, and of the sex, age, religious profession, and occupation of all such persons upon the 8th day of April, and one or more next consecutive days in the year 1861.

WEIGHTS AND MEASURES.

CAP. CXIX.—*An Act to amend the Law relating to Weights and Measures, in Ireland.* (28th August, 1860.)

So much of section 5 & 6 Will. IV. c. 63, as requires grand juries to appoint inspectors of weights and measures repealed. Certain head constables to be *ex-officio* inspectors of weights and measures. The grand juries of any county may cause copies of imperial standard weights and measures to be deposited with such head constable. They may also provide sub-standards of weights and measures. Power given to inspectors to inspect beams, scales, &c. in possession of persons selling in the public streets, and to destroy false weights and measures.

BANKRUPTCY.

Returns from Official Assignees of Courts of Bankruptcy, showing the total Amount of Remuneration received by them, and the Sums paid out of the same for Expenses, from 11th October to 31st December, 1857, and for the years 1858 and 1859; also the number of Petitions for adjudication in Bankruptcy allotted to each Official Assignee, and the number of appointments of each Official Assignee under Petitions for arrangements under control of the Court, and under the Act 7 & 8 Vict. c. 70, during the years 1856, 1857, 1858, and 1859. (Mr. Murray.) 22nd March, 1860. (164.)

IN the Court of Bankruptcy, London, Mr. Patrick Johnson received during the period from 11th October, 1857, to 31st December, 1859, a net amount of remuneration of 2,067*l.*, and there were allotted to him of adjudications and appointments under petition for arrangement, 65 in 1856, 73 in 1857, 64 in 1858, and 50 in 1859. Mr. William Bell received 3,716*l.*, and had allotted to him of adjudications and arrangements 62 in 1856, 70 in 1857, 58 in 1858, and 53 in 1859. Mr. William Whitmore received 6,897*l.*, and had of adjudications and arrangements, 75 in 1856, 91 in 1857, 68 in 1858, and 56 in 1859. Mr. Herbert Harris Canaan received 5,214*l.*, and had of adjudications and arrangements, 66 in 1856, 83 in 1857, 68 in 1858, and 54 in 1859. Mr. George John Graham received 4,373*l.*, and had of adjudications and arrangements, 57 in 1856, 71 in 1857, 68 in 1858, and 47 in 1859. Mr. Hatton Hamor Stansfeld received 2,015*l.*, and had allotted to him of adjudications and arrangements, 60 in 1856, 80 in 1857, 65 in 1858, and 49 in 1859. Mr. Edward Watkins Edwards received 5,633*l.*, and had allotted to him of adjudications and arrangements, 55 in 1856, 76 in 1857, 63 in 1858, and 48 in 1859. Mr. Charles Lee received 6,921*l.*, and had of adjudications and arrangements, 58 in 1856, 72 in 1857, 62 in 1858, and 47 in 1859. Mr. William Pennell received 3,779*l.*, and had of adjudications and arrangements, 80 in 1856, 75 in 1857, 70 in 1858, and 51 in 1859. Mr. Isaac Nicholson received 3,770*l.*, and had of adjudications and arrangements, 65 in 1856, 69 in 1857, 64 in 1858, and 47 in 1859.

In the district courts, Liverpool district, Mr. William Bird received 2,640*l.*, and had of adjudications and arrangements, 21 in 1856, 34 in 1857, 31 in 1858, and 19 in 1859. Mr. James Cazenove received 2,169*l.*, and had of adjudications and arrangements, 31 in 1856, 42 in 1857, 26 in 1858, and 20 in 1859. Mr. Charles Turner received 3,021*l.*, and had of adjudications and arrangements, 18 in 1856, 30 in 1857, 29 in 1858, and 22 in 1859. Mr. George Morgan received 1,573*l.*, and had of adjudications and arrangements, 20 in 1856, 30 in 1857, 24 in 1858, and 25 in 1859.

Birmingham District.—Mr. John Harris received 6,301*l.*; and had of adjudications and arrangements, 36 in 1856, 73 in 1857, 61 in 1858, and 48 in 1859. Mr. Frederick Whitmore received 6,114*l.*; and had of adjudications and arrangements, 39 in 1856, 77 in 1857, 177 in 1858, and 77 in 1859. Mr. George Kinnear received 1,761*l.*; and had of adjudications and arrangements, none in 1856, 28 in 1857, 111 in 1858, and 57 in 1859.

Manchester District.—Mr. James Stansall Pott received 1,619*l.*; and had of adjudications and arrangements, 30 in 1856, 35 in 1857, 27 in 1858, and

12 in 1859. Mr. John Fraser received 1,787*l.*; and had of adjudications and arrangements, 29 in 1856, 33 in 1857, 27 in 1858, and 21 in 1859. Mr. Francis Hernaman received 3,175*l.*; and had of adjudications and arrangements, 54 in 1856, 68 in 1857, 59 in 1858, and 28 in 1859.

Bristol District.—Mr. Alfred John Acraman received 3,283*l.*; and had of adjudications and arrangements, 44 in 1856, 58 in 1857, 47 in 1858, and 35 in 1859. Mr. Edward Mant Miller received 3,420*l.*; and had allotted to him of adjudications and arrangements, 41 in 1856, 55 in 1857, 41 in 1858, and 28 in 1859.

Leeds District.—Mr. Henry Philip Hope received 2,518*l.*; and had allotted to him of adjudications and appointments under petition for arrangements, 39 in 1856, 50 in 1857, 65 in 1858, and 21 in 1859. Mr. Theophilus Carrick received 5,435*l.*; and had of adjudications and arrangements, 20 in 1856, 35 in 1857, 22 in 1858, and 33 in 1859. Mr. George Young received 3,649*l.*; and had of adjudications and arrangements, 37 in 1856, 50 in 1857, 68 in 1858, and 23 in 1859. Mr. John Brewin received 1,657*l.*; and had of adjudications and arrangements, 26 in 1856, 43 in 1857, 29 in 1858, and 26 in 1859.

Newcastle-upon-Tyne District.—Mr. Thomas Baker received 2,848*l.*; and had of adjudications and arrangements, 46 in 1856, 62 in 1857, 56 in 1858, and 19 in 1859.

Exeter District.—Mr. Henry Lake Hirtzel received 2,153*l.*; and had of adjudications and arrangements, 45 in 1856, 30 in 1857, 39 in 1858, and 38 in 1859.

FINES AND PENALTIES, IRELAND.

Abstract of the accounts of all Fines and other Penal Sums accounted for under the provisions of the Act 14 & 15 Vict. cap. 90, for the year ending the 31st March, 1858; showing the total Amount imposed within said period, the Proceedings had in respect thereto, and the Money received on account thereof, as well as an account of Arrear Cases up to the 31st March 1859. (6th March, 1860.) (134.)

THE total amount of fines imposed was 39,974*l.* 3*s.* 9½*d.*; the amount paid was 27,054*l.* 6*s.* 11½*d.*, the remainder being remitted or reversed. The amount paid was applied as follows:—To treasurers of boroughs, public officers, &c., 3,714*l.* 18*s.* 11*d.*; to constabulary for reward fund, 2,381*l.* 13*s.* 1*d.* To any parties as costs, 8,066*l.* 13*s.* 5*d.*; postage and money-orders, 136*l.* 7*s.* 5½*d.* Balance chargeable against the officers of the court, 120*l.* 13*s.* 10*d.*; lodged in the Bank of Ireland, 12,634*l.*

PUBLIC GENERAL STATUTES.

23° & 24° VICTORIÆ, 1860.

SERIES E.—LAW, JUSTICE, AND CRIME.

UNITED KINGDOM.

CROWN DEBTS AND JUDGMENTS.

CAP. CXV.—*An Act to simplify and amend the practice as to the entry of satisfaction on Crown Debts and on Judgments.* (28th August, 1860.)

The provisions of Sections 195, 196 and 197 of the 16th and 17th Vict. c. 107, extended to all bonds to the crown. The senior master of the Court of Common Pleas, at Westminster, may enter a satisfaction or discharge to any registered judgment pending suit, and he may issue certificate of such entry.

ENGLAND AND IRELAND.

ECCLESIASTICAL COURTS JURISDICTION.

CAP. XXXII.—*An Act to abolish the Jurisdiction of the Ecclesiastical Courts in Ireland in cases of Defamation, and in England and Ireland in certain cases of Brawling.* (3rd July, 1860.)

The jurisdiction of ecclesiastical courts in England or Ireland, in suits for defamation and brawling, abolished as against persons not in holy orders. Persons in custody for defamation, under order of ecclesiastical courts, to be discharged. Any person guilty of riotous, violent, or indecent behaviour, in England or Ireland, in any cathedral church, parish or district church or chapel, in England and Ireland, or in any chapel of any religious denomination, or, in England, in any place of worship duly certified, or in any churchyard, or who shall molest or disturb any preacher duly authorized to preach, to be liable to a penalty of not more than 5*l.* for every such offence.

LAW OF PROPERTY.

CAP. XXXVIII.—*An Act to further amend the Law of Property.* (23rd July, 1860.)

No judgment, statute, or recognizance to affect any land as to a *bonâ fide* purchaser for valuable consideration, or a mortgagee, unless a writ or other due process of execution of such judgment shall have been issued and

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registered, and provided such execution or other process shall be executed and put in force within three calendar months from the time when it was registered. The registry must be made by a memorandum or minute referring to the judgment, so as to connect the registry of the writ or other process therewith; such memorandum to be left with the senior Master of the Court of Common Pleas, who shall enter the particulars in a book. No judgment which has not been entered or docketed shall have any preference against heirs and executors. Judgments against heirs and executors to be re-registered. Section 24 in 22nd and 23rd Vict., c. 35, extended to mortgages. The Lord Chancellor to have power to make general orders as to investment of cash under the control of the court, either in the 3½ per cents. or such other stock, fund or securities as he may see fit. Trustees may invest trust funds in the stocks, &c., in which cash under the control of the court may be invested.

MARRIAGE SETTLEMENTS.

CAP. LXXXIII.—*An Act to explain an Act of the 18th and 19th of her present Majesty, enabling Infants, with the approbation of the Court of Chancery, to make binding Settlement of their real and personal Estate on marriage.* (6th August, 1860.)

SETTLEMENTS, MORTGAGES, AND WILLS.

CAP. CXLV.—*An Act to give to Trustees, Mortgagees, and others, certain powers now commonly inserted in Settlements, Mortgages and Wills.* (28th August, 1860.)

Trustee empowered to sell may sell in lots, and either by auction or by private contract. The trustee empowered to sell has also power to convey, and the money arising from sales to be laid out in other lands, or in payment of incumbrances. When any principal money is secured, the mortgagees to have power to sell to insure and to appoint a receiver. Receipts for purchase money by the persons exercising the power of sale to be sufficient discharge. A receiver may be appointed, who is to be deemed to be the agent of the person entitled to the property subject to the charge. Trust funds may be invested by the trustees in any of the Parliamentary stocks or public funds or in Government securities. The trustee may apply the income of property of infants, &c., for their maintenance. In case of death of any trustees, new trustees may be appointed.

ENGLAND.

CORONERS.

CAP. CXVI.—*An Act to amend the Law relating to the Election, Duties, and Payment of County Coroners.* (28th August, 1860.)

The provisions of the 7th and 8th Vict., c. 92, extended to all counties, although not divided for the purpose of such Act. The provisions as to the remuneration of coroners by fee repealed. County coroners to be paid by salary. If the coroner refuses to hold an inquest, an application may be made to a judge for a rule to show cause. The Lord Chancellor may remove a coroner for inability or misbehaviour.

MALICIOUS INJURIES TO PROPERTY.

CAP. XXIX.—*An Act to amend an Act relative to malicious injuries to Property.* (14th June, 1860.)

Persons damaging steam-engines, &c., used in working mines, guilty of felony, and liable to punishment as in the Consolidation Act, 7 & 8 Geo. IV. c. 36. Offences of this nature committed within the jurisdiction of the Admiralty of England and Ireland to be dealt with in the same manner as any other felony committed within that jurisdiction.

PETITIONS OF RIGHT.

CAP. XXXIV.—*An Act to amend the Law relating to Petitions of Right, to simplify the Proceedings and to make Provisions for the Costs thereof.* (3rd July, 1860.)

A petition of right may be instituted in any of the superior courts at Westminster. The petition must be left with the Home Secretary for the home department for her Majesty's fiat. Upon fiat being obtained, the petition must be left at the office of the Solicitor of the Treasury. The time for answering by the Crown is twenty-one days. The Lord Chancellor, on the application of the Attorney-General, to change the court or venue. The time for answering by other persons being parties to the petition, to be fourteen days. The petition may be answered by way of answer, plea or demurrer in a court of equity or in a court of common law by pleas or demurrer, or both. The practice and course of procedure in action and suit between subject and subject to extend to petitions of right so far as applicable. In case of failure to answer decrees, a judgment may be given by default. Costs may be recovered by the Crown and any other person party to the petition. The suppliant to be entitled to costs against the Crown and other parties to the proceeding.

DUCHY OF CORNWALL LIMITATION OF ACTIONS.

CAP. LIII.—*An Act for the Limitation of Actions and Suits by the Duke of Cornwall in relation to Real Property, and for authorizing certain Leases of possessions of the Duchy.* (23rd July, 1860.)

Provisions of 9 Geo. III. c. 16, as to limitations of actions and suits to extend to the Duke of Cornwall. The council to have power to grant leases of property declared to be vested in the Duke of Cornwall by 21 & 22 Vict., c. 109.

COURT OF QUEEN'S BENCH.

CAP. LIV.—*An Act to amend an Act for abolishing certain Offices on the Crown side of the Court of Queen's Bench, and for regulating the Crown Offices.* (6th August, 1860.)

QUEEN'S PRISON.

CAP. LX.—*An Act to amend the Act for regulating the Queen's Prison.*

Prisoners sent to Bethlehem Hospital, under 5 & 6 Vict. c. 22, may be removed when they would have been entitled to their discharge from the prison. Lunatics removed from Bethlehem under this Act to be within the provisions of the Lunacy Acts.

CRIMINAL LUNATICS.

CAP. LXXV.—*An Act to make better provision for the custody and care of Criminal Lunatics.* (6th August, 1860.)

Her Majesty may appoint asylums for criminal lunatics, and the Secretary of State may direct criminal lunatics to be confined in the asylum. When, by reason of the expiration of his term of imprisonment, a person confined in the asylum would be entitled to his discharge if duly certified to have become of sound mind, the Secretary of State may order his discharge, although he may not have been certified to that effect to the intent that he may be placed in a county lunatic asylum, or otherwise subjected to the same treatment as lunatics not being criminals.

PLEADING IN COMMON LAW COURTS.

CAP. CXXVI.—*An Act for the further amendment of the Process, Practice, and Mode of pleading in and enlarging the Jurisdiction of the superior Courts of Common Law at Westminster.* (28th August, 1860.)

In case of ejectment for a forfeiture for non-payment of rent or for non-insuring, the court may give relief in a summary manner. Any order made by a judge upon an application for relief to be subject to an appeal to the Court of Error. Interpleader may be granted though titles have not a common origin. The court or judge may direct the sale of goods taken in execution, and may decide summarily in certain cases. The joinder of too many plaintiffs shall not be fatal, but every action may be brought in the names of all persons in whom the legal right may be supposed to exist. The provision of the 19th & 20th Vict. c. 108, as to replevin extended to all cases of replevin. Dower, writ of right of dower, and *quare impedit* abolished as real actions, and to be commenced by writ of summons. The 85th Section of the Common Law Procedure Act, 1854, to be repealed. The Superior Court may exercise like jurisdiction as the Court of Chancery under the provisions of the ninth part of the Merchant Shipping Act.

ATTORNEYS AND SOLICITORS.

CAP. CXXVII.—*An Act to amend the Laws relating to Attorneys, Solicitors, Proctors, and certificated Conveyancers.* (28th August, 1860.)

Persons having taken degrees at certain universities, or having been at the bar, or clerks of attorneys for ten years, may be admitted after three years' service. The judges may make regulations for persons who have passed certain examinations before articles, to be admitted after four years. Registrar's certificates to be made the stamped certificates of the Commissioners of Inland Revenue. The certificate to be entered with the registrar. The certificate to continue in force for one year, and no longer. An attorney may be struck off the roll.

CHANCERY EVIDENCE.

CAP. CXXVIII.—*An Act to enable the Lord Chancellor and Judges of the Court of Chancery to carry into effect the recommendations and suggestions of the Chancery Evidence Commissioners by General Rules and Orders of the Court.* (28th August, 1860.)

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METROPOLITAN POLICE.

CAP. CXXXV.—*An Act for the Employment of the Metropolitan Police Force in Her Majesty's Yards and Military Stations.*

DIVORCE COURT.

CAP. CXLIV.—*An Act to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes.* (28th August, 1860.)

The judge ordinary may exercise the powers now vested in the full court, and he may call in the assistance of one of the other judges. The judge may direct any matter to be heard by the full court. When there is a right of appeal to the House of Lords from the decision of the full court, there shall be the like right of appeal to the said House from the decision of the judge ordinary alone, or with any other judge. The court may, where one party only appears, require counsel to be appointed to argue on the other side.

DEBTORS AND CREDITORS.

CAP. CXLVII.—*An Act to amend the 7th & 8th Victoria, c. 70.* (28th August, 1860.)

The provisions of the 7th & 8th Vict. c. 70, applicable to petitioning debtors not in custody to extend to those in custody.

CHANCERY PRISONERS.

CAP. CXLIX.—*An Act to make better Provision for the Relief of Prisoners in Contempt of the High Court of Chancery and Pauper Defendants, and for the more efficient Despatch of Business in the said Court.* (28th August, 1860.)

The Queen's Prison to be visited quarterly. Prisoners and other persons may be examined on oath. The court may direct reference as to the poverty of the prisoners. Gaolers to make reports to the Lord Chancellor of all Chancery prisoners. Expenses incurred for prisoners and pauper defendants to be paid out of the suitors' fund.

SCOTLAND.

BANKRUPT LAW.

CAP. XXXIII.—*An Act to amend certain Provisions in the Bankrupt Law of Scotland.* (3rd July, 1860.)

Where it appears to the Court of Session that the estate ought to be distributed in England or Ireland, the sequestration may be recalled. The court may refuse the application for the discharge of any bankrupt, although no opposition be made by creditors, if it appears that the bankrupt has fraudulently concealed any part of his estate. Interlocutors of the Lord Ordinary and Sheriff subject to the review of the Court of Session.

SHERIFF COURTS.

CAP. LXXIX.—*An Act to provide additional accommodation for the Sheriff Courts in Scotland.* (6th August, 1860.)

GENERAL PRISON, PERTH.

CAP. CV.—*An Act to provide for the Management of the General Prison at Perth, and for the administration of Local Prisons in Scotland.* (20th August, 1860.)

IRELAND.

CORONERS.

CAP. LXXIV.—*An Act to amend the Provisions of the Act for the Regulation of Municipal Corporations in Ireland, with respect to Coroners in Boroughs.* (6th August, 1860.)

The town councils of Belfast, Clonmel, Cork, Drogheda, Dublin, Kilkenny, Limerick, Londonderry, Sligo, and Waterford, may respectively appoint a coroner. No person to be appointed who is not seised of such an estate as would qualify him to be appointed coroner under the 153rd section of the 3 & 4 Vict. c. 108.

COMMON LAW PROCEDURE ACT.

CAP. LXXXII.—*An Act to amend the Provisions of the Common Law Procedure (Ireland) Act Amendment* (1853). (6th August, 1860.)

The provisions of the recited Act, enabling the judges to make orders in respect of stock, &c., standing in the name of Incumbered Estates Court, to apply to the Landed Estates Court (Ireland).

PEACE PRESERVATION.

CAP. CXXXVIII.—*An Act to continue and amend the Peace Preservation (Ireland) Act* (1856.) (28th August, 1860.)

PARTY EMBLEMS.

CAP. CXLI.—*An Act to amend an Act passed in the 13th year of her Majesty, to restrain Party Processions in Ireland.* (28th August, 1860.)

The exhibition of banners or party emblems, or the playing of any music, or the discharging of any cannon or firearms in any public street, calculated to provoke animosity, to be a misdemeanor. The justices are authorized to remove banners, &c.

LIGHTS, BUOYS, AND BEACONS.

Report of the Commissioners appointed to inquire into the condition and management of Lights, Buoys, and Beacons.

THE Commission was issued on the 8th of December, 1858, to Rear-Admiral William Alexander Baillie Hamilton, Captain Alfred Phillips Ryder, Dr. John Hall Gladstone, Duncan Dunbar, chairman of the London Local Marine Board, and Samuel Robert Graves, chairman of the Liverpool Local Marine Board. They were appointed to inquire into the number, quality, and position of the lighthouses, floating lights, buoys, and beacons on the coasts of the United Kingdom, both absolutely and relatively, as compared with the lighthouses, floating lights, buoys, and beacons on the coasts of any foreign countries, and into the sufficiency of the said lighthouses, floating lights, buoys, and beacons, for the efficient lighting and buoying of the coasts of the United Kingdom. And also to inquire into the expense of constructing and maintaining the lighthouses, floating lights, buoys, and beacons of the United Kingdom, both absolutely and relatively, as compared with the expense of constructing and maintaining the lighthouses, floating lights, buoys, and beacons of any foreign countries. And also, to inquire whether the present system of management and control under which the lighthouses, floating lights, buoys, and beacons on the coasts of the United Kingdom are constructed and maintained, according to the provisions of the "Merchant Shipping Act, 1854," is well adapted for securing the most efficient lighting and buoying of the coasts of the United Kingdom, with a due regard to economy, or whether any, and if any, what change might be advantageously made in that system. And also whether any, and if any, what further supervision or control might advantageously be exercised over any local authority having jurisdiction in the matter of lights, buoys, or beacons in the United Kingdom. And also, whether the system now in force for the construction, maintenance, and control of certain lighthouses in our colonial possessions, under the superintendence of our Government, is well adapted for ensuring the most efficient conduct of that service with a due regard to economy, or whether any and what change might advantageously be made in that system.

On the 5th March, 1861, the Commissioners reported as follows:—

In the United Kingdom there are in all 404 lights, viz., 212 in England, 114 in Scotland, and 78 in Ireland, and they are distributed as follows:—On shore there are 357 lights; viz., 197 under general authority, 160 under local authority, and 47 were floating lights. The British coasts are not so well guarded as the French, for the lights are purposely so placed on the coasts of France as to "cross their fire." In England, with 2,405 nautical miles of coast line there were 171 lighthouses on shore, or 1 for 14·0 miles. In Scotland, with 4,469 miles of coast line, there were 113 lighthouses on shore, or 1 in 39·5 miles. In Ireland, with 2,518 miles of coast line, there were 73 lighthouses on shore; and in France, with 2,763 nautical miles of coast line, there were 224 lighthouses on shore, or 1 in 12·3 miles. Hence it appears that the lighthouses in France are more than three times as numerous compared with the amount of coast as in Scotland; but a considerable allowance must be made for the very large amount of mileage afforded by the Scottish islands and the bays on the Irish coast, which do not require a commensurate amount of lighting, as a light on an island or one side of a

channel illw obviate the necessity of a light on the main land or on the other side. The lights in France appear to be nearly three times as numerous, comparatively speaking, as those in Ireland; but if to the 73 Irish lighthouses be added the 5 floating lights, the discrepancy is somewhat reduced. In England, too, there seems at first sight to be a somewhat smaller provision made for illuminating the coasts than in France, yet if the 41 English floating lights be added to the 171 lighthouses, as indeed justice requires, England will be found to provide a light for every 11·37 nautical miles of coast, while France furnishes one for only every 12·3 miles.

As to the position of lights in France and in England, there is this notable difference: The English lights have been steadily and gradually increasing in number during the last two centuries and a half, additional lights having been placed, from time to time, wherever the interests of commerce demanded, and a sufficient pressure was exerted; while, on the contrary, the French lights were very few till 1825, when a grand comprehensive plan was undertaken of erecting a large number of additional lights on what were considered the best positions, and of remodelling the whole system. The coasts of the United Kingdom are better guarded than those of Holland, Norway, or perhaps any other country, excepting France.

QUALITY OF LIGHTS.—The quality of a light depends mainly on the following points:—1st. The character of the source of light. 2nd. The character of the apparatus, by which the light is directed to where it is needed. 3rd. The adaptation of the source of light and the optical apparatus to one another, with a view to the requirements of the locality. 4th. The distinction of one light from another.

1st. *The character of the source of Light.*—It is the invariable practice of the three general lighthouse authorities in England, Scotland, and Ireland to derive it from the combustion of colza oil. Where metallic reflectors alone are used, the lamp is on the Argand principle; but where lenses are employed, a large central lamp is resorted to. The Argand burners vary in number from 1 to 30, and the central lamps differ in the number of concentric wicks. The Trinity House and Ballast Board, at the time of the commencement of our inquiry, used fountain lamps, and never employed more than three of the four concentric wicks, while the Scotch Commissioners retained a fourth in 1st order lights. The lamps in Scotland being mechanical lamps, were found also to cause a considerably greater consumption of oil (as 5 to 3), and therefore the production of a higher and more powerful flame than was produced in England or Ireland. The local authorities also generally employ oil lamps, but the oil burnt is not always colza. Liverpool, for instance, prefers olive oil; and the Admiralty and Newhaven still retain the more expensive sperm, the use of which was abandoned for various reasons by the general authorities some years since. Gas is also burnt in many harbour lights, and in the beacon light at Northfleet, under the management of the Thames Conservancy; and in that as in many other cases, and in the United States, with a very satisfactory result.

To the subject of the height of the flame Your Commissioners have given much consideration. It will again be alluded to in this Report; but they are glad to be able to put on record here that the Elder Brethren of the Trinity House have lately admitted the propriety of returning to the use of the fourth wick, and are now making experiments with a view to ascertain

the best possible description of mechanical lamp. Your Majesty's Commissioners, however, are of opinion that the science of lighthouse illumination is in a transition state, and capable of further development. We have conversed with a man who was actually employed in his youth in burning coal fires at Harwich for directing ships at sea; in fact, the last coal light, that at St. Bees, was only extinguished in 1822; the use of oil does not seem to date back beyond 1730; and we now find inventions under trial which promise to transcend far the powers of even the four-wicked mechanical lamp in producing light. Gas might probably be advantageously employed in other than harbour lights, where it is now frequently used. An electric light which is produced between carbon points by the revolution of magnets fixed on wheels worked by a steam engine, has been tried with great promise of success by Professor Holmes at the South Foreland, and is to be further tried at Dungeness, or at the Start. Another electric light produced by galvanic action in a stream of mercury, has been exhibited by Professor Way, and proposed for adoption in lighthouses. Several modifications of the lime light, produced by an oxyhydrogen flame playing on a surface of prepared lime, have been exhibited, and are commonly used in lecture-rooms and elsewhere; and these are now proposed for use in lighthouses. And the least powerful of these surpasses the best oil lamp in brilliancy, as the oil lamp surpasses the open coal fire. When any of these are so perfected as to make their action certain, the optical apparatus now used, and made to suit large flames, will be out of date as much as the large tinned reflector which was first erected behind a large coal fire on the Tour de Cordouan, and which was then considered a great advance in science. Optical apparatus, to suit a very small and exceedingly brilliant source of light, one-eighth of an inch long, may be of small size, and finished and adjusted with all the accuracy of a telescope. Thick lantern bars, and the comparatively clumsy and costly brass fittings, which now interfere with light, may perhaps be done away with, and then the cost of apparatus may possibly be as much diminished as the quality of the light is improved.

2nd. *The character of the apparatus by which the light is directed to where it is needed.*—It may be well to state shortly what is aimed at in constructing optical apparatus for lighthouses before proceeding to show how far the object has been attained. From any given source of artificial light, such as a point in the flame of a lamp, rays proceed in every possible direction until obstructed. The fact may be familiarly proved by observing that the light of a table lamp falls on every part of the spherical ground glass shade, except where the metal of the burner interferes. The object of lighthouse illuminating apparatus, whether constructed of glass or of metal, is to bend the rays which would naturally proceed in straight lines and illuminate a hollow sphere, so that those which would otherwise be wasted may be used and fall on points where they may be seen at sea. Taking the spherical lamp shade as an illustration, those rays from the lamp which illuminate the upper portions should be so bent downwards as to double the illumination of the lower half, if the light is intended to be a fixed light, seen all round, and from the horizon to the base of the light-tower; and all the rays should be further bent laterally, if it is desired to illuminate a narrow strip of sea, extending from the horizon to the base of the lighthouse; or the rays may all be collected and thrown on one or more spots of larger or lesser size wherever the light is wanted. These

last objects are sought to be attained in fixed lights placed at the end of narrow passages, and in revolving lights; and these last are made visible all round by causing the lenses, reflectors, &c., to revolve about the source of light, or with it about a centre. The better the machinery and apparatus is contrived and executed and adapted to the situation, the more the light produced from a given source is rendered available by directing it properly; and the less it is wasted by absorption, dispersion, or improper direction, the better is the quality of the apparatus, and the greater the economy of the fuel consumed in producing the light. It must be borne in mind that the economy in the fuel consumed is in exact proportion to the light used, and the waste to the light wasted; that light which is thrown on the sky is equivalent to oil thrown away.

There are two principal means by which it is sought to throw the light in the desired direction. The one is by silvered parabolic reflectors, and is called the "catoptric," system; the other is by lenses of peculiar construction, and is called the "dioptric" system. Sometimes the two systems are combined together, as in the ordinary "catadioptric," and in Mr. Stevenson's "Holophotal" arrangement. These silvered reflectors even are comparatively modern inventions, dating, in fact, from the close of the last century, and it is not 40 years since the first dioptric apparatus was constructed by Fresnel, in France, and lenses have only gradually replaced the reflectors in our country. The lenticular system, as now developed, varies greatly from that first proposed; and modifications are continually suggested. Manufacturers both at home and abroad have invested large sums in machinery and in improving the quality of glass; and where so much thought is bestowed, it is reasonable to anticipate further improvement. The principle of refraction is generally adopted in Scotland, while that of reflection still holds the numerical preponderance in England and Ireland, but it should be borne in mind that the lighting of the Scotch coasts is of a later date than that of the English. It has been generally assumed that the dioptric is preferable to the catoptric system; but while your Commissioners do not controvert this opinion, they have conclusive evidence that many of the catoptric lights in England are not only excellent in themselves, but exceed in efficiency the dioptric lights on its shores. The first part of Question 7, of Circular VIII., addressed to mariners, runs thus:—"What British light have you usually seen farthest off?" and out of the 579 witnesses who have answered this question, the greatest distances are mentioned with reference to the lights at Lundy Island, the Calf of Man, Tuskar, Flamborough Head, Beachy Head, and Cromer, and the greatest numbers of witnesses mention Flamborough Head, the Lizard, Lundy, Beachy Head, the Start, and the South Stack, all of which (with the exception of the Lizard, which is catoptric fixed, and the Lundy and Start, which are dioptric revolving*) are catoptric revolving lights. We are, however, of opinion that this preference of the large reflecting lights arises not from any inherent superiority of the catoptric system, but from the fact that the dioptric principle, owing to errors of adjustment, has never yet been allowed a full and fair chance in the United Kingdom, and a saving of oil has also been unfortunately attempted in various ways, chiefly by the use of the inefficient fountain lamps, in all the dioptric lights with the exception of those in Scotland, which has not been considered in

* The South Foreland light is omitted, as at the time of the inquiry the electric light was being burnt there.

the great revolving catoptric lights with 30 Argand burners. This subject will be reverted to in the following section.

3rd. *The adaptation of the source of light and the optical apparatus to one another, with a view to the requirements of the locality.*—This ought to be considered with reference to the object which it is proposed to effect, namely, in most cases to send a bright light to the sea-horizon, and at the same time to illuminate sufficiently the nearer portions of the sea. The source of light never is one luminous point, but a figure having length, breadth, and depth, and is composed of a vast number of luminous points, some of which are placed at considerable distances from others. The vertical and lateral divergence of lighthouse beams depends in a great measure on the size and shape, as well as on the position of the source of light placed in the apparatus; and though works on lighthouse illumination often mention the flame as if all its parts sent some portion of light to all places from which the light can be seen, such is not the fact. Lighthouse apparatus, like any other lenses or reflectors, form within the apparatus an image of the landscape outside with greater or less accuracy; and when the flame is so placed inside as to coincide with the image formed by the apparatus, rays will proceed from points in the image to corresponding points in the landscape, along the same paths which were followed by the rays which, starting from without, formed the image within: and different parts of the flame do in fact illuminate different parts of the sea and sky. A photographic camera gives a good illustration of this fact. The lens can be so placed as to project an inverted image of a landscape on a glass screen. If a lamp is placed instead of the ground glass, its light will be seen through the lens from those places whose image corresponds with the position of the lamp, and from no other places. And, in like manner, the best and most brilliant light may be so placed within a lighthouse as to be invisible at sea, when the apparatus itself is well constructed.

A mariner, when he looks from a given position through a dioptric apparatus of the first order, at a lighthouse lamp with four concentric wicks, is not looking at a single radiant point placed in the common focus of the instrument. His eye is affected by rays proceeding from a vast number of radiant points, variously situated, in different parts of eight different sources of light, of various forms and dimensions, and placed at different distances from the apparatus, some within, and others beyond the focus for parallel rays. Each of these sources of light is viewed in many different directions through as many different pieces of glass; and every piece of glass, taken separately, is in itself a complicated optical instrument, with curves, angles, and a focus of its own, contrived by its inventor for a particular purpose, and to form part of a definite whole. As a lighthouse flame is composed of many irregular figures, there are probably no two spots equally illuminated by a lighthouse beam. When such is the complicated nature of the instrument, and when all its parts have been contrived and made for a particular purpose, any new adjustment or arrangement of these different parts, after they have been so made and put together, must be skilfully and scientifically done, if it is to be efficient.

It seems to follow, therefore, that the altitude as well as position of every new lighthouse, and the size and shape of the light to be placed in it, ought to be known and fully considered before the apparatus is made and put together. A beam of a given divergence, with its axis in the plane of the geometrical horizon, or at right angles to a vertical line, must become

invisible from the sea if the light is raised to a sufficient height above the earth, whose surface is curved; and the more nearly it approaches that height the less serviceable will it be because the greater will be the amount of light thrown on the sky. It is found in practice that the fact agrees with the theory, and that much light is now wasted, especially in high light-houses with low flames. The experiments tried by our secretary at the Point of Ayre and at Bidston, and our observations made on the Gunfleet Light, will show that catoptric lights, as at present constructed, do not fulfil perfectly the conditions required; that is to say, they throw only a portion of the light produced on the sea, where it is wanted. On the contrary, a very large portion is thrown on the sky; and as the light at the Point of Ayre is revolving, and shows all round, it illuminates the highest hills in the Isle of Man, and great part of the light produced is wasted.

Again, as regards dioptric lights, as at present used in England and Ireland, it has been found that great improvements are possible. A large portion of the light produced even in those which are best made is now wasted. In some cases a part of the light is thrown too high, in others it shines on the land. In some the fault appears to arise from a want of consideration of the requirements of the locality, in others from want of adjustment in apparatus ordered with insufficient specification by the authority giving the order,—originally constructed by a manufacturer without reference to elevation,—and finally placed by the authorities, without considering the construction, at an elevation for which it was not fitted. There are also cases of faulty manufacture, involving bad glass and inaccurate grinding.

But your Majesty's Commissioners thought it highly desirable that the opinions which they had themselves formed, and those which they might elicit, should, if possible, be confirmed by the highest available authority. We accordingly applied to the Astronomer Royal for his valuable aid; and we wish here to express our high sense of the kindness with which Professor Airy acceded to our wishes, and of the advantage which we have derived from his assistance. Our wish was that the Astronomer Royal, a high authority on mathematics and optics, should have the best opportunity of forming an opinion as to the adjustment of dioptric apparatus, and with that view he was informed of what had been observed by us; the specifications prepared by the Lighthouse Boards in ordering dioptric apparatus were also laid before him; and he was requested to accompany your Commissioners, and to inspect dioptric lighthouses at home and abroad.

The result of all these proceedings may be summed up in a few words:

1. The dip of the sea-horizon below the geometrical horizon has never, in the United Kingdom, been properly taken into account in dioptric lights, although where the light is high above the surface of the sea, as, for instance, 240 feet at Whitby, this makes the important difference of 0.16 inch in the proper position of the flame.*

2. The various pieces of which a dioptric illuminating apparatus is composed, have not even been adjusted to the flame and the geometrical horizon with sufficient accuracy. The result of this has usually been to send a most unnecessarily large amount of the rays upward to the sky, as may be easily determined for each individual piece of glass by the plan

* The flames maintained in the Scotch first order lighthouses appear to have their sections of maximum luminosity so high as in some cases to compensate for this neglect, so far as the lenses are concerned.

of internal observation devised by Mr. Campbell, the secretary of the Commission.* Professor Holmes has stated that out of 96 prisms at the South Foreland light, which he examined from outside, he found 94 faulty in this respect.

3. The flame in English and Irish lights is kept far too low, owing to the use of only three wicks and of the fountain lamp, which burns on an average only 474 gallons of oil annually in England, and 442 in Ireland. This has the double disadvantage of diminishing the upper part of the flame, which is of the greatest service in illuminating the sea, and of lowering the section of greatest luminosity in the flame below the focus of the lens, thus causing the brightest portion of the light to be in that portion of the same which always of necessity sends its rays above the horizon.

This fault was not found to exist in the lights under the Northern Commissioners, who make use of a mechanical pump lamp, which burns on an average 794 gallons of oil annually, and produces good flames of about double the height of those in England or Ireland.

The Elder Brethren of the Trinity House are now alive to the importance of these subjects, as far as relates to their works, and the scientific adviser to whom they apply in such cases, Professor Faraday, has now directed his attention to them; and your Commissioners anticipate that the defects which have been pointed out will soon be remedied, now that attention has been called to them, and after their existence has been demonstrated by so many experiments and observations.

4. The distinction of one light from another.

Various means are resorted to to effect this important object. Some lights are fixed, others are revolving; some are white, others are coloured. The tables, drawn up from the Admiralty lists of lights, indicate the extent to which this distinguishing of lights is carried in the three countries:—In England there were 123 fixed lights and 23 revolving. In Scotland, 83 fixed and 26 revolving. In Ireland, 63 fixed and 16 revolving.

Many of these distinctions again are susceptible of sub-division; for instance, some lights, designated “fixed and flashing,” give a constant light, besides the waxing and waning light, with intervals of darkness, while others alternate between brilliancy and total darkness. Again, the relative duration of light and darkness may be different, although the intervals between the maxima of brilliancy may be the same.

In England there were 95 white, 17 white and red, 25 red, 4 green, 2 red and green, 1 red, white, and green, and 2 blue. In Scotland there were 63 white lights, 15 red and white, 28 red, 1 green, 1 red and green, 1 red, white, and green; and in Ireland, 53 white, 19 white and red, 6 red, 1 red, white, and green.

Of the coloured lights all are fixed, with the exception of fourteen revolving lights, which show red and white alternately, and three simple red lights, which revolve.

The use of coloured lights has this disadvantage, that the colour is only obtained by absorbing a large portion of the rays emitted from the lamp, namely those of other colours; and, therefore, the required intensity is only obtained by consuming a larger amount of oil. Again, green and

* It has since been ascertained that this plan was adopted by M. Fresnel in adjusting the mirrors above the lenses of his apparatus.

blue lights are highly objectionable for lighthouses, except for very short ranges, on account of the readiness with which rays of those colours are absorbed by the atmosphere if it is at all misty. Red rays, on the contrary, penetrate peculiarly well; and, as your Commissioners have witnessed, furnish an admirable and most useful means of distinction, one which, in their opinion, is not enough resorted to—a deficiency which appears perspicuously in the table referred to, especially in reference to the Trinity House, or at the index map projected by our secretary; but at the same time we consider that it is highly desirable wherever practicable to make red lights revolve, in order that the greater quantity of light thus brought into one direction may counteract the absorption of rays due to the coloured glass. Indeed, your Commissioners would willingly see, as far as practicable, all lights in prominent situations revolving, since a greater range in dull weather is thus obtained, and there is less chance of mistaking them for ships' lights, which are now often of great brilliancy, or of mistaking ships' lights for them. At the same time it should be borne in mind that, at the rate at which ships are now propelled, it is desirable (in order to enable the mariner to secure a bearing) that some light beside the revolving light, particularly if it is a quick revolving light, should be visible throughout the whole revolution at as great a distance as possible.

Sometimes two lights, even on separate towers, are exhibited, in order to form a distinction from a neighbouring light. By this means the expense is very nearly doubled; and where distinction is the only object gained, it appears to show more prodigality than ingenuity.

It is also desirable that a lighthouse should be a very visible object from the sea by day. Your Commissioners during their visits had frequent occasion to remark how little this had been considered, especially in Scotland, where the handsome stone towers unpainted could often be scarcely distinguished at a distance from the grey background. We recommend that the lighthouses should always be coloured so as to present the greatest contrast with the background, and that the buildings and walls attached to the towers should be kept carefully whitewashed where the ground is dark.

The distinction of lighthouses by day is susceptible of much development by the more extended use of coloured stripes or bands.

There is another important point connected with the quality of lighthouses, to which your Commissioners have given attention, namely, the means of indicating the locality during fogs which the light cannot penetrate. This is sought to be effected by bells, and in one or two instances by guns; but it is rarely attempted at stationary lighthouses, except at those built on rocks in the sea, or on piles. We recommend the more frequent adoption of whatever means may be found most efficient.

Your Commissioners consider it desirable that Admiral FitzRoy's plan of notifying at the principal ports the approach and course of storms should be extended to certain of the lighthouses in prominent positions, for the purpose of such information being signalized thence to passing ships; and if the Astronomer Royal's proposition for exhibiting a time-ball at the Start should be carried out, such signals might be advantageously established at that point. Admiral FitzRoy has supplied various lighthouses in the United Kingdom with the necessary meteorological instruments. In several of the answers to your Commissioners' scientific inquiries the same sugges-

tion is touched upon. Had such a system existed when the *Royal Charter* was lost, that fearful wreck might possibly have been avoided.

Quality compared with Foreign Lights.—With reference to the quality of the lights of the United Kingdom as compared with foreign lights, the answers to Questions 4 and 5 of Circular VIII. show that the majority of the mariners who use them consider British lights generally to be at least equal to all others in the world, and that those of France rank next. Out of 586 who have replied to Question 4, "Do you think that the coasts of the United Kingdom are as well lighted as any of the foreign coasts which you have already named?" 514 consider the coasts of the United Kingdom as well lighted as any others with which they are acquainted; while in reply to Question 5, "If you think that the coasts of the United Kingdom are not so well lighted as those of any other country or countries, name those countries in the order in which you prefer their lights," out of 311, 200 express their preference of the British lights, and only 33 prefer those of any other country. Nor is this due to any patriotic prejudice in favour of England, for of the 34 masters of foreign vessels who have answered Question 4, 24 think England as well lighted as any other country they know; one is doubtful; but not one foreigner prefers the lighting of any foreign shore.

These comparisons by the 200 mariners who prefer British lights and the 33 who prefer those of some other country have, however, been more closely analysed; and it appears that out of the 200, only 42 profess to be well acquainted with the coasts of France, while it must be remembered there are 25 who express a preference for the French lighting. This weight of evidence, therefore, in favour of the United Kingdom as compared with France, is not great. Many circumstances also must interfere with the accuracy of such comparisons; for instance, on the one hand an advantage is given to foreign countries by the greater clearness of the atmosphere, and, on the other hand, an advantage is given to Great Britain by its shores being the usual landfall of those mariners who have replied to the questions.

The testimony of the replies given to Question 7 of the same Circular, "What British and what foreign light have you usually seen farthest off, and which of the two has been usually visible at the greatest distance?" is to a similar effect; but it refers only to the brightest lights; and an analysis of these replies gives several additional points of interest, and the following are the principal results:—579 witnesses have mentioned the 25 lighthouses named in the table as the British lights which they have usually seen furthest off. These have made 184 direct comparisons with the foreign lights which they have usually seen farthest off. And, in reply to the question which of the two has been usually seen at the greatest distance—112 witnesses are in favour of British lights, 72 witnesses are in favour of foreign lights; giving a majority in favour of British lights of 40 on 184 comparisons. 15 of the 25 British lights mentioned are preferred to the foreign lights compared with them; 1 is equal; 9 are inferior; giving a majority of 6 in favour of British lights. Of the 15 British lights preferred, 9 are catoptric revolving or flashing, 2 catoptric fixed; 2 dioptric fixed, 2 dioptric revolving. Nine British lights are said to be inferior to those foreign lights compared with them. Of these British lights 3 are dioptric fixed, 2 dioptric revolving or flashing; 2 catoptric fixed, 2 catoptric revolving. This large preponderance of evidence in

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favour of the catoptric revolving over the dioptric revolving, as hitherto exhibited in England and Ireland, fully confirms the remarks made, and the reason of it and the remedy are there given.

Dioptric revolving lights ought to be very powerful. Of the two which are considered inferior to the foreign lights compared with them, the Start is one, and the condition of that light will show the value of these comparisons made from observation at sea by the men most interested in the lights. The other inferior dioptric revolving light is Ballycottin. It appears from the reply to Question 38, Circular III., that the annual consumption of oil is 354 gallons, as against the Start 498, the South Foreland 511, Skerry Vore 781, Kinnaird Head 800, while at Grisnez it is stated to be 785, all of which are dioptric, first class. And this again shows the correctness of the comparisons, for the oil burned is a measure of the light produced.

Again, of all the foreign lights mentioned and compared, Grisnez (probably from its prominent position) is most frequently named. It is mentioned as seen at great distances by 108 witnesses; but of the 12 British lights compared with it 7 are said to be better, 5 worse; and of 48 comparisons between it and British lights 30 are in favour of the latter.

The above evidence then goes to show that the quality of British lights (speaking generally) is equal to the quality of lights in any part of the world; and the testimony is especially valuable because the men who give it are mariners, those best able to judge of the appearance of the light; and, as appears from their evidence elsewhere, generally knowing nothing about the manner in which the light is produced. As one witness remarks, "They don't know the ropes," C. and D. (catoptric and dioptric), but most of them think that first-class British lights, speaking generally, are as good as most first-class lights which they have seen abroad, and better than many.

Your Majesty's Commissioners have no reason to differ from this general opinion; but in subscribing to it, we think it necessary to revert again to the various defects that we have ascertained to exist in the present dioptric lights, especially of England and Ireland, and to the experiments, observations, and reports that have been made by us or at our instance on the matter. There are, indeed, many particulars in which the quality of British lights might be greatly improved.

There was a time when the shores of this kingdom were unquestionably much better lit than those of other countries. At that time silvered parabolic reflectors with Argand lamps were considered to be the best of optical apparatus for lighthouses, and they were largely used and are still retained in very many situations by the general lighthouse authorities. Amongst local authorities, smoky lamps, candles, and tin reflectors, some even painted in front, may even now be found.

There are, indeed, many situations in which reflectors properly kept are supposed by the lighthouse authorities to be as useful as lenses; and the great labour, care, and skill bestowed by the keepers on the cleaning of the reflectors assist in making some British catoptric revolving lights compare favourably with the best lens lights in France. In catoptric revolving lights the number of lamps and reflectors on one face can be multiplied so as to increase the power. Beachy Head, for example, is a catoptric revolving light, showing ten reflectors on one face, and is favourably compared with Grisnez, which is a dioptric flashing light, though Grisnez is some feet

higher than Beachy Head. There is but one lamp at Grisnez, burning, according to regulation, 785 gallons; at Beachy Head there are 30 lamps, burning about 1,000 gallons of oil in a year.

The fixed catoptric lights of the British isles are never mentioned by any mariner as having been seen at a great distance, and, indeed, with the exception of the Lizard, their names scarcely occur among the answers to Question 7. There can be no doubt that they will not bear comparison with revolving lights on the same principle, or with the dioptric lights of France or Scotland. As to the fixed catoptric lights abroad (there are scarcely any in France) not one of them seems to be named, except that on Heligoland, which belongs to the Trinity House.

On comparing the quality of British lights with those of foreign countries in the four particulars mentioned above, it may be remarked:—1st. With reference to the source of light, the observations of the Commissioners have placed it beyond doubt that the French have the advantage over the English and Irish in the height and brilliancy of their flames, owing mainly to their use of the mechanical lamp.

2nd. As to the optical apparatus, the dioptric system, invented and first employed in France, has been gradually adopted in our own country, and in Scotland some improvements have been made in it. There is, however, this important difference; in France the new apparatus was adopted throughout the whole lighthouse service; and in the United States, and in Spain, it has been lately exclusively adopted in the great reformation of their lighthouse system just effected by the Governments of those countries; but in the United Kingdom the old reflectors have only been replaced from time to time by the refracting apparatus; and the Board of Trade now lay down the principle, that the expense should only be incurred when the reflectors are worn out. It still remains an open question in some minds whether the change should at once be completed along the whole shores of Britain, and in other minds whether the purely catoptric principle is not better than the purely dioptric under certain circumstances; but few will doubt that a combination of the two would often be the most efficient, and such combinations exist in all countries, but especially in Scotland. Your Commissioners, indeed, are prepared to recommend a more rapid substitution of these catadioptric arrangements for the simple metallic reflectors now in use at so many situations, and we deem this especially requisite when the light is a fixed one. If the electric light come into general use, it may necessitate some important modifications of the existing apparatus.

3rd. As the dioptric apparatus used in England has been obtained from France till very recently, or constructed on French models, it can be no matter of astonishment that your Commissioners found in that country the same errors of adjustment between the optical pieces and the lamp, which they had first remarked at home; but these errors were greatly aggravated in England and Ireland where the flame was low. The excellence of the light at Grisnez was found to be due partly to the height of the flame of the mechanical lamp, but partly also to the fact that the old-fashioned mirrors had been well adjusted to the sea-horizon after erection—a point that cannot be so easily secured in apparatus of more modern construction (such as is used at Calais), where the totally reflecting prisms are secured in their places before the apparatus leaves the manufactory, and without reference to the altitude of the proposed situation. There was, however,

but very slight fault to be found with the adjustment of the illuminating apparatus at Ailly.

4th. In regard to the distinction of one light from another by varying its character the French, according to the Admiralty lists, do not avail themselves so much as the English of the various means, and the Americans seem to be inferior; but in Spain and Brazil the proportion of revolving to fixed lights is much greater, and red flashes are more frequently employed than in the United Kingdom. The United States authorities pay more attention to the distinction of lighthouses by day, by means of colour, than the authorities in this country. The French use silk webs in the wicks; and filter the oil that has flowed through the burners before returning it to the lamp for another night's consumption.

EXPENSE OF CONSTRUCTION AND MAINTENANCE.—The expense of constructing a lighthouse depends so much on the requisite height of the tower, the accessibility of the site, the facility of procuring material or workmen, and many other circumstances varying with the locality or the character of the work, that it is difficult to form a comparison between the practice of different boards in this respect; yet there are some points which appear worthy of remark. The triumphs of lighthouse engineering are those towers which rise in the midst of an open sea on small isolated rocks or reefs that are washed over by the waves. The Eddystone was the first of this class, but it has been exceeded in magnitude, and in the difficulties overcome in the construction, by three more recent erections, the heights and total cost of each of which are as follows:—Bell Rock, Scotland, east coast—height, 117 feet; cost, 61,331*l.* 9*s.* 2*d.* Skerry Vore, Scotland, west coast—height, 158 feet; cost, 83,126*l.* 12*s.* 1*d.* Bishop Rock, England, Scilly Isles—height, 145 feet; cost, 36,559*l.* 18*s.* 9*d.* The two last are, to a certain extent, comparable works, both being erected on rocks almost covered by the sea at high water, both far from land, and exposed to the force of the Atlantic, and both more or less on the model of the Eddystone; yet the Bishop, which is nearly as tall as the Skerry Vore, cost in construction less than half what was expended on that magnificent work. It must be remembered, however, that at Skerry Vore the workmen, the materials, and all the requisite stores, had to be conveyed a distance five times as great as at Scilly, which in that stormy region rendered the chances of landing much more precarious, and that a quarry and a harbour had to be formed; circumstances which involved a large expense that cannot be estimated with any precision.

Again, in Scotland, there are a number of modern lighthouses on the mainland, as at Girdleness, Buchanness, Covesea Skerries, and Ardnamurchan, handsome towers from 115 to 120 feet in height, with substantial edifices for keepers around their base, and these have cost 10,000*l.* or 11,000*l.* for the building alone. The only lighthouse on the mainland in England equalling them in height, and fairly comparable, is that at St. Catherine's Head, in the Isle of Wight, which cost 7,673*l.* 17*s.* 2*d.* It also is of stone. The Irish lighthouse at Kinsale, 100 feet high, is somewhat comparable with these Scotch erections, and cost about 9,000*l.* The usual lighthouses on the mainland of England, or on rocky islands, built by the Trinity House, are much smaller erections, often costing no more than from 3,000*l.* to 5,000*l.*, and rarely exceeding 7,500*l.* The average cost of a lighthouse on the mainland, or on rocky islands, in Scotland, is about 8,000*l.*

In general the Irish lighthouses, even on the mainland, have been erected at an expense of 10,000*l.*, but this includes the illuminating apparatus, and in some instances the formation of a road. The only complaints which the Commissioners have heard respecting the cost of erection of lighthouses have been with reference to the Scotch, and have proceeded from the Board of Trade. The structures erected during this century in that country are doubtless most substantially built, generally of granite, and of great height; there seems to be very little outlay on mere ornament, and they present a noble appearance as public works; but when the great difference in cost between them and English lighthouses designed to serve a similar purpose is considered, there can be little doubt either that the Scotch and Irish authorities have not paid due regard to economy, or that the English authorities, keeping economy too closely in view, have not erected edifices worthy of themselves and of the nation; unless, indeed, there be some circumstances which render similar erections necessarily more costly in Scotland and Ireland.

It is difficult to compare justly the cost of construction between the different portions of the United Kingdom, it is still more difficult to draw a comparison with the expense incurred in countries where labour is very differently remunerated, and where the management of lighthouses is centralized in the national Government. Yet some interesting data for such a comparison have been obtained.

On turning to France we arrive at some startling results. The Phare de Bréhat, on the north-west coast of France, stands on a rock at sea like the Skerry Vore or the Bishop Rock, but more under high water than they are; it is built of granite, and equals the Skerry Vore tower in height, at least within a foot or two, yet the total expense, including that of the first order dioptric apparatus, is stated to have been only 23,120*l.* The payments to the Government engineers, the transport of material by Government vessels, and some other matters, are probably not included; and other circumstances, including exposure to storms, were more favourable, thus rendering the comparison of little value, yet the smallness of the sum is striking.

Again, the French have built at Calais a tower of brick and calcareous stone, handsomely fitted up within, as is the case generally with first order French lights, 167 feet high, and therefore taller than any lighthouse tower in the British Isles, and half as tall again as the Scotch towers in analogous situations, which cost 10,000*l.* to 11,000*l.*, but the Calais lighthouse was completed for 7,479*l.* The harbour lights in France, though differing greatly from one another, as might be expected, are said to cost on an average 320*l.* for their erection. In the British Isles harbour lights are generally under local authorities, and they differ more widely still, in fact from a common gas lamp-post to lighthouses of large pretensions, as the first order catadioptric light at Hartlepool; yet there are some in each division of the United Kingdom which have cost about the same as the French average; for instance, at Penzance in England, at Peterhead in Scotland, and at Cork in Ireland. Some buildings have cost less, but the majority have had a larger sum expended on their erection than the French.

The average expense of construction of four Spanish lighthouses of the first order, height not stated, is only 5,450*l.*, including everything, and not one of those buildings, particulars of which have been kindly furnished by Senor Lucio del Valle, cost more than 7,611*l.* Their lighthouses for har-

bours appear to be more expensive than the French. The American first-class light, described in the return from the United States, cost 8,600*l*.

The Dutch have constructed a stone lighthouse on the coast at West Schouwen of the great height of 166 feet, only one foot less than that at Calais, with brick houses for the keepers, which, including the first order revolving apparatus, cost only 6,400*l*. The Danish Government, on the other hand, has paid 10,673*l*. for a burnt brick and granite lighthouse, including the illuminating apparatus, at Skagen. The lighthouse at the "Hohe Weg," Bremen, built of freestone, brick, and clinkers, cost, including the illuminating apparatus, 10,996*l*. The Norwegian Government built the lighthouse at Little Fœrder for 7,500*l*., and the iron one at Rundo, which is 110 feet high, for 10,800*l*. In comparing these sums with those mentioned previously as expended in Great Britain, it must be borne in mind where a first order dioptric apparatus is included, that it costs from 1,500*l*. to 2,000*l*. On the whole, therefore, the outlay of foreign Governments in the construction of lighthouses, making every allowance for the advantages which a more centralized system gives in such a comparison, appears to be rather greater than the outlay incurred by the English board.

Expense of Maintenance.—The expense of maintenance of a light depends to a great extent on its class. It would be futile to attempt a comparison by taking the whole amount expended on lighting the coasts by each general authority, or by each different country, and dividing that by the number of lights, unless it were ascertained that the different classes were in the same proportion, and that all expenses of lightships or buoys were excluded. The returns asked for by your Commissioners tell the annual cost of each lighthouse in 1858, under several distinct heads, and from these returns has been drawn up the following table of averages, which refers only to first order dioptric lights, or catoptric lights of the largest description:—In England, the dioptric cost 265*l*.; the catoptric, 340*l*. In Scotland, the dioptric, 380*l*. 9*s*. 6*d*.; the catoptric, 385*l*. 12*s*. 7*d*. In Ireland, the dioptric, 405*l*. 9*s*. 5*d*.; the catoptric, 485*l*. 11*s*. 3*d*.

From this it is evident at a glance that as the Scotch dioptric lights burn a larger amount of oil than the English or Irish, they are more expensive in that item; but in this particular, expense becomes a measure of efficiency. The Scotch effect a saving in oil, amounting to about 1,300*l*. per annum, by lighting and extinguishing their lamps not at sunset and sunrise, but at the going away and reappearance of daylight, periods calculated separately and tabulated according to the latitude of each station. The amount burnt in the large catoptric lights of each country is about the same, oil being 1*d*. or 2*d*. per gallon cheaper in England than in Scotland or Ireland. Repairs of building is a larger item in the English than in the other lighthouses, as they are usually older constructions and of a less substantial character. The Scotch towers are generally not painted. As to the total expenditure, there is evidently a discrepancy in the manner in which it has been returned by the different authorities, the Northern Commissioners and the Ballast Board having included items not included by the Trinity House, thus showing a greater discrepancy than exactness would warrant.

Besides the expenditure incurred in the individual lighthouses, there are the general expenses of the authority having charge of them. This is an important subject of inquiry, but will be better treated of under the head of "System of Management."

The following return will afford the means of comparing the expense of maintenance of a first order dioptric light in foreign countries with that incurred in England, Scotland, and Ireland:—In France, the Bréhat (Rock) costs 415*l*.; mainland lights, average of four, 320*l*. In Spain, on the average, 340*l*. In Denmark, the Skagen, 274*l*. 17*s*. 11*d*.

The French Government pays the keepers much less than is paid by any of the general authorities in the United Kingdom, but its outlay in oil is very properly greater than in England or Ireland. The United States, on the contrary, pay as much as 275*l*. in keepers' salaries for a first order lighthouse, whilst the Trinity House pays on an average 126*l*. 10*s*. 9*d*.

FLOATING LIGHTS.

The number of floating lights in position in the United Kingdom is 47. They are thus distributed:—In England, 41; in Scotland, 1; in Ireland, 5.

Of the floating lights under the local authorities, Liverpool has three and Hull two; there is one in the Solway, and another in the Tees; one in the Clyde, and the remaining one in Lough Foyle. The positions of these vessels appear to have been chosen with good judgment, for very few complaints are made in the evidence of the mariners. It can hardly be said that the floating lights even of England were sufficient when the Commission commenced its sittings, but the Trinity House is extending its mode of action in this respect, having placed two new vessels during the past year, the one in Cardigan Bay, the other on the Varne Shoal in the Channel. Additional floating lights are still suggested in the Mariners' Evidence, especially one to mark the Inner or Outer Dowsing, and we learn that the Trinity House have just obtained permission to place one there. The question of their sufficiency depends also in some measure on the solution of a problem, which Mr. Herbert, of the Trinity House, proposes to make the subject of experiments on a large scale. It has been proposed by him to extend the principle of lighting by establishing floating lights in the Fairway—the hulls to be constructed on the principle of his buoys, and the light the best known.

The evidence which the Commissioners have obtained from the masters of lightvessels goes to prove that the most exposed situations are not necessarily the most dangerous or disagreeable. The masters of the *Seven Stones* and *Coningbeg* lightvessels agreed in saying, that the long sea, and great length of chain required to anchor in deep water, made their stations, which are the most exposed in the kingdom, easier to ride in than stations where the sea is shorter, the water shallower, and the current stronger; such as at Arklow, the Owers, and Cockle; and the master of the lightvessel in the Humber, who had crossed the Atlantic sixty times, said that he had never met with so "nasty" a sea as in the river Humber. This, which at first sight appears strange, is explained by the fact, that when the wind is strong and its direction across a strong tide, a vessel often rides broadside to the sea. In the open sea the tides are not so strong, and the waves are longer. The lightvessel at the Goodwin was seen by the Commissioners so riding, to windward of her moorings, broadside to the sea, and rolling heavily.

The efficiency of a floating light depends on the attention paid to the four points dwelt on in reference to the quality of lights on shore, with one very important addition, namely, that it should remain on its station in all weathers. The best proof that the lights are efficient in the last particular is to be found in the statements of the lighthouse authorities, which are fully

confirmed by the evidence of mariners. The lightvessels very seldom go adrift, and there is no instance on record in which the crew have voluntarily run from their stations in bad weather. When they have been driven from their moorings, the vessels have always been replaced in a very short time, and none have ever been wrecked. The Mariners' Evidence on this point is valuable, because the rare instances in which lightvessels have been off their stations are repeatedly mentioned by independent witnesses as remarkable events. It does not appear that the lights have ever been accidentally extinguished.

Much has to be learned about the best form for resisting the force of winds and waves when the vessel is always at anchor. The shape of the hull now varies considerably. Some are longer than others. The part of the vessel to which the moorings are attached, and the points where the chains enter, are different. The Irish vessels are generally longer and sharper than those in England, and set an after-sail when its use enables them to ride more easily. We have endeavoured to obtain evidence on these points, and have received many valuable opinions in reply to our questions on flotation. The testimony of the men on board has been in favour of considerable length, fine entrance, and a low point for attaching the moorings; but we would recommend this branch of scientific inquiry to the attentive consideration of those who have to decide the question practically, as these questions materially affect the steadiness of the light, security of ship, and safety and comfort of the men. The source of light in lightships is invariably the combustion of oil. Mechanical or large lamps are not employed. The apparatus by which the light is directed to where it is needed, consist of silvered reflectors and Argand lamps. In three instances only has the dioptric system been adopted in lightships, one of them being the local floating light of Stockton-on-Tees. The reflectors are also smaller afloat; and with one or two exceptions only one reflector is shown on each face, and can be seen at once. The silver is much more liable to injury, and the reflectors were generally found to be in a less brilliant condition than any that were seen on shore; though in some of the vessels the reflectors were quite as well polished as any seen. Reflectors also wear out much sooner at sea.

It is a question for consideration, whether the dioptric principle might not be more generally introduced into floating lights; and whether some of the improved methods of producing light might not be adopted afloat. The science of illumination, as regards floating lights, requires development, especially as ships' lights are now made so brilliant.

The existing distinctions in floating lights are thus given, as far as our returns indicate. In England, of the 40 floating lights, 26 had 1 light, 12 had 2 lights, and 2 had 3 lights, 26 had fixed light, 3 had revolving light, and 1 had fixed and revolving; and as to colour, 15 were white, 3 were red, and 2 red and white. In Ireland, of the 5 floating lights, 2 had 1 light, 2 had 2 lights, and one had 3 lights; 4 were fixed lights, and 1 fixed and revolving; all the lights were white.

In regard to the distinction of the light of one lightship from another, or from shore lights, or from the lights of moving vessels, your Commissioners cannot help thinking that red might be more frequently used, provided the revolving dioptric apparatus is adopted, and that a larger proportion might advantageously be made to revolve, provided the rapidity of revolution be sufficient to prevent the long extinction of the light.

Another point is the colour and distinguishing mark of floating lights by day; for it is important to every mariner to be enabled to recognize a particular lightvessel at a glance. The Trinity House lightvessels are painted red. In Ireland they are black with a white streak. At Liverpool, two are red and one black; and they are all distinguished by balls hoisted at the mastheads, and by other signals, and some have their names painted on their sides. Black and red seem to be the colours which contrast best with the colour of the sea, and they are in fact best seen.

Gongs are used as fog-signals in the lightvessels of the Trinity House and Ballast Board; but the Commissioners were satisfied that they are not sufficiently powerful, and recommend the provision of a more efficient warning in fog as a subject of investigation and experiment.

Expense of Construction and Maintenance.—The average cost of a lightvessel when fully equipped, exclusive of stores, is as follows:—England, Trinity House, 3,622*l.* 12*s.* 7*d.*; Liverpool, 4,547*l.*; Hull (small), 2,436*l.* Ireland, Ballast Board, 6,224*l.* 11*s.* 9*d.* The return from Liverpool does not include the cost of the Crosby Channel floating light. One of the two vessels belonging to Hull, viz., the *Hebbles*, is very small. The floating lights in Ireland are of a larger size and better character than the average of those in England.

The average annual expense of maintaining a floating light in the United Kingdom is as follows:—

England—Trinity House, ordinary repairs and painting, 70*l.* 8*s.* 5*d.*; expense of oil, 59*l.* 7*s.* 8*d.*; wages, 430*l.* 19*s.* 2*d.*; victualling allowances, 301*l.* 2*s.* 6*d.*; total expenditure in 1858 (as returned), 1,103*l.* 18*s.* 1*d.* In Liverpool, 1,464*l.*; in Ireland, Ballast Board, 1,321*l.* The floating lights of the Trinity House are brought into harbour to be repaired from time to time, and this is not reckoned among the ordinary repairs and painting. In the total expenditure this seems to be included. There is little room for comparison between the floating lights in England, and those of any other country. France has only two, and Spain has not established any. The United States are better provided, having 48, but they were confessedly in a very inefficient condition till recently, when those of England were copied, possibly with some improvements. Their vessels are painted in stripes and bands, and of various colours, so as to be recognized at once. It is stated in America that the vessels used frequently to leave their stations and run into harbour in heavy weather; indeed, that is admitted in the return forwarded by the United States Government.

The following return gives the cost of a light vessel when complete for service, and the annual expense of maintenance in several foreign countries:—In the United States the *Nantucket*, New South Shoals, cost about 4,375*l.*, and the cost of maintenance about 1,354*l.*; in Sweden the *Fingrundet* cost 3,500*l.*; in Hamburg, on the average of three, costs 3,500*l.*; in Bremen, the *Bremen* cost 2,564*l.*; in Denmark the *Kobbergrunden* cost 5,606*l.* 4*s.* 3*d.*; in Belgium the *Paarde Markt* cost 2,968*l.* 10*s.*; in Holland the *Noord Hinder* cost 3,100*l.* It is evident that whether at home or abroad it is far more costly to maintain a light afloat than on shore, and where the light itself cannot be made perfectly stationary, a refined adjustment of the illuminating apparatus to the horizon would be injurious. Where practicable, therefore, stationary buildings should be erected, such as the Screwpile lighthouses at the mouth of the Thames, and elsewhere.

BUOYS.

The number of buoys in the United Kingdom, as far as can be ascertained from the returns, is as follows: but as there are many local authorities which have given no information, the number must be defective in this respect. Wreck buoys and warping buoys are excluded from the returns.

In England the Trinity House had 356 buoys in position, and 438 buoys in reserve; the Admiralty had 65 buoys in position; the local authorities had 375 buoys in position; in Scotland the Northern Commissioners had 92 buoys in position, and 79 buoys in reserve; the local authorities had 64 buoys in position. In Ireland the Ballast Board had 53 buoys in position, and 56 in reserve: the local authorities had 104 buoys in position: total, 1,109 buoys in position, and 573 buoys in reserve.

The position of these buoys is marked in the charts, which have been furnished by the several authorities, but it was not thought necessary to publish these. The positions of the buoys are marked on the Admiralty charts. Very few alterations are suggested in the positions of existing buoys by those who have answered the circulars addressed to mariners and to Lloyd's agents; and, on the whole, there does not seem to be ground for dissatisfaction in respect to position. The number of buoys in some districts appears to be amply sufficient. In other districts there are hardly any, and in others more are wanted. The replies of mariners to Question 23 show in detail where the witnesses desire that buoys should be placed, and similar evidence is given by Lloyd's agents, who frequently speak of the want of buoys in certain localities, especially in Scotland and Ireland. Some instances of neglect have come to the knowledge of the Commissioners; as at Limerick, where the buoys have gradually disappeared, and never been replaced, though there were ample funds expressly for the purpose. That the coasts of the United Kingdom are better supplied with buoys than any foreign coasts is borne out by the almost unanimous opinions expressed by the 488 persons who follow the sea, who have answered Question 14 of Circular VIII.

The prime requisites in a buoy are that it should be conspicuous, distinctive, and permanent.

It appears from the returns, however, that buoys are liable to various accidents, especially that of being fouled or run down by ships. Of the 356 Trinity House buoys in position, only 14 broke adrift in 1858; none of the egg-bottomed or flat-bottomed buoys were so displaced in that year. Of the 92 buoys belonging to the Northern Commissioners, 2 only broke adrift in 1858; and of the 53 buoys under the Ballast Board, only the same number; while of the 608 buoys under local authorities a somewhat larger proportion, namely 35, broke adrift, though these latter generally ride in much less exposed situations.

Some buoys, for instance those under the Admiralty in the fairway leading into Portsmouth harbour, disappear under water as soon as the tide becomes strong, and only reappear at slack water. Generally speaking, the buoys in use are not constructed on scientific principles; but there are others, either used or designed, which show more thought. Herbert's buoys have been tried on a large scale at Liverpool, in Ireland, and in England, and appear, when properly constructed, to be excellent. Lenox's, Poulter's, and Peacock's buoys, and many other forms, appear also to ride

successfully; and in the Clyde there are large iron buoys of peculiar construction, which are commended. The best form for a conspicuous floating body, to be permanently anchored at a particular spot, and the best method of securing it, have yet to be decided.

We have also asked and obtained the evidence of scientific men on this point, and would specially recommend the subject to the authorities who have to deal practically with it.

Another and a very important inquiry as to the efficiency of buoyage is the system on which channels and harbours are buoyed, and whether, indeed, any system is adopted. Till lately there was no attempt at uniformity in any part of the British Isles, but the Northern Commissioners adopted a system, the main feature of which is placing red buoys on the starboard hand in entering the harbour, and black on the port hand. The Irish Board have frequently adopted a system too, but it is exactly the reverse of the Scotch; and only last year the Trinity House have decided to buoy channels uniformly, but on a totally different plan; namely, red or black buoys to starboard, and chequered to port, but they do not contemplate applying it to channels already buoyed. The Board of Trade has required that Lough Swilly in Ireland should be buoyed on this system. In the meantime some of the local authorities, as those at Liverpool and the Clyde, have adopted systems of their own, which may or may not be the same as that of the general authority in the same country; the Admiralty have no uniform system.

Your Majesty's Commissioners recommend that some national system be introduced into the United Kingdom, and that the colours adopted in it should be dark. In support of this we would again call attention to the mariners' evidence. Of 268 mariners who have replied to Question 28, 148 are in favour of a uniform system, and a very large majority of those who have replied to Question 17 prefer black and red for colours, and angular forms, as being the most visible on the sea. The disadvantage of white under such circumstances has been frequently illustrated.

The buoys in foreign countries do not appear to equal those of the British Isles either in size or general efficiency; but the adoption of a national system of buoyage, as in France, is evidently an advantage. The French contemplate improving their buoyage, and we saw a very large Herbert's bell buoy in construction.

The original cost of a buoy varies greatly with its character and size. The Trinity House generally employ Can buoys costing from 27*l.* to 36*l.*, but it has many of a better kind, costing 58*l.*, 130*l.*, and even 197*l.*, when complete. The Ballast Board makes most use of a buoy costing 26*l.*, but those costing 42*l.* 10*s.* or 62*l.* are not infrequent, and their largest Herbert's buoy costs 99*l.* 4*s.* The Northern Commissioners, on the other hand, do not employ any other than the old Nun and Can buoys, costing from 16*l.* 16*s.* to 31*l.* 10*s.* The repairs required by a buoy arise mainly from accidents. Painting, however is a regular expense, costing annually from 2*l.* 10*s.* to 5*l.* 5*s.* each in Ireland; 7*s.* 6*d.* in Scotland; and the mere expense of the paint in England, as it is done by the crews of floating lights when off duty.

The United States Government commonly use Nun and Can buoys, costing from 40*l.* to 100*l.* The Spanish obtains its buoys from England.

BEACONS.

It is impossible to determine the number of beacons in the British Isles, for the word itself is somewhat indefinite, particularly in the local returns, where they cannot be rigidly distinguished from other small leading marks. The following numbers all refer to structures of some magnitude:—England—Trinity House, 67; Admiralty, 7; Channel Islands, 19; Scotland—Northern Commissioners, 33; Clyde, 82; Ireland—Ballast Board, 53. The positions of these and other beacons are given in the Admiralty charts. They appear to be fully sufficient in some places, but deficient in others. The positions where more beacons are wanted are mentioned in the replies to Question 23 of mariners' evidence, and in the evidence collected through Lloyd's agents. In rivers and estuaries in the United Kingdom and elsewhere, beacons are commonly sticks, or beams of wood planted in the mud, or fixed to rocks. Sometimes a beacon is a pile of stones, but there are also beacons of solid masonry, and structures of iron solidly fixed in places where such marks have been thought sufficient, and a light was not thought necessary. There is a beacon on a rock near Stornoway, which reflects light directed upon it from a lighthouse on shore. Hollow pile beacons have been erected on some shoals, as on the Goodwin Sands, and might advantageously be substituted in other places for buoys, just as permanent pile lighthouses are being in some places substituted for floating lights.

The beaconage of the United Kingdom, like the buoyage, is on no uniform system of colour, or form, or construction; and generally nothing but local knowledge enables a mariner to tell his position by the beacons alone. The navigation of the Clyde is much facilitated by beacons solidly built at short distances from one another, and marked both by colour and by other indications, so as to show on which side of them is the channel. What is there effected might be attempted with advantage in other places under other jurisdictions. Speaking generally, the beaconage of the United Kingdom admits of great improvement. The number might be increased, and the quality improved, and the efficiency of the service advanced.

The expense of erecting a beacon depends of course wholly on the nature of the construction and of the site. The cost varies from that of the beacon on the Wolf Rock, off the Land's End, amounting to 11,298*l.*, to that of "Jack-in-the-Basket," at the entrance of Lymington Creek, a mere pole painted white, with a basket at its top. The Pabba Beacon, in the Sound of Skye, the latest erected in Scotland, is of malleable iron, 40 feet in height, and cost 502*l.* 5*s.* 2*d.* The expense of maintenance is in many cases nil, and never should be much, unless in situations where the nature of the position is such that damage is frequently being caused by the almost irresistible force of the sea.

The beacons which your Commissioners have seen abroad, and those described in the returns from foreign countries, do not seem to be better than those of the United Kingdom, except in so far as there is a national system.

In France the beacons and buoys are coloured on the same plan, and even patches of rocks on different sides of channels are (according to the returns) painted black and red.

In Sweden, the trees which are planted in the water, on one side of a channel, have a bunch of branches at the top, and those on the other side

are left bare, and the principal of indicating compass bearings of shoals is acted on.

SYSTEM OF GOVERNMENT.

The system of management and control under which lights, buoys, and beacons are constructed and maintained in this kingdom as laid down by the Merchant Shipping Act 17 & 18 Vict. c. 104., is as follows:—The several authorities mentioned in the Act are, 1st, the Queen in Council; 2nd, the Committee of the Privy Council for Trade; 3rd, the Trinity House; 4th, the two other general lighthouse authorities, namely, the Commissioners of Northern Lighthouses for Scotland, and the Port of Dublin Corporation, or Ballast Board for Ireland; 5th, local authorities, of which there are about 170.

SYSTEM OF CONTROL.—1st. The Queen in Council may transfer to a general lighthouse authority the powers of a local authority within its jurisdiction making default in erecting, maintaining, or placing any local lighthouse, buoy, or beacon. The same power may consent to the following acts by the general lighthouse authorities:—Exemption from dues; alteration of mode of collection; substitution of dues; and may fix dues for new lights, or alter their amount.

So far as your Commissioners are informed, the powers of local authorities have very rarely been transferred from the local authorities who exercise them. One case was the light at Douglas, Isle of Man, lately transferred from the local authority to the Scotch Board. Provision has to be made for dues in such a case. Secs. 395 and 413 seem to give the necessary powers. Under Sec. 397, the Queen in Council may alter dues.

2nd. The Board of Trade may, on complaint of inefficiency, authorize persons to inspect all lighthouses, buoys, and beacons under the general lighthouse authorities, and may at all times demand from them returns, explanations, &c.

From the evidence before your Commissioners it appears that the first of these powers has been very little exercised, and that the latter has to a very great extent. The Board of Trade may sanction interference with local authorities by general authorities, but your Commissioners are not informed that they have ever been asked to do so. This section gives large powers to the general authorities, but they have been exercised only to a very small extent, if at all.

On the contrary, it appears from a letter dated 9th February, 1859, that as regards the harbour lights marked in the Admiralty lists, the Board of Trade had "no information to enable them to state by whom they were then managed;" and it further appears, from the return of the Scotch Board, that the Commissioners for Northern Lighthouses could only furnish a list of these local authorities, so far as known, and it does not appear from the returns or from the personal observations of your Commissioners or from the oral evidence, that local lights are inspected or interfered with to any extent by any of the general authorities.

Your Commissioners have reason to believe that very little control of any kind has been exercised over the local authorities, and we generally found the lights to be less efficient than those managed by the general lighthouse authorities, and to be managed on no regular system of any kind. The Board of Trade may direct the general authorities to account for and

pay over to the Paymaster-General the dues collected by them, and this they have accordingly done. There was on February 6, 1860, a very large surplus, 361,645*l.* 1*s.* 2*d.*, invested in Exchequer bills and cash in the hands of the Paymaster-General.

The Board of Trade may decide questions in dispute between the Trinity House and the other two general lighthouse authorities by granting or withholding their sanction, either wholly or partially, and either with or without modification in relation to the matters submitted to them. The directions given by the Board of Trade in relation to the matters aforesaid, shall forthwith be communicated by the Trinity House to the general authority in question, and that authority is bound to act in conformity therewith. Under Sec. 408 the Board of Trade may sanction directions of the Trinity House to the other two lighthouse authorities, but we do not find that the Board of Trade are empowered by the Act to direct the Trinity House as to their management; and we are informed that the Board of Trade, whatever may be the nature and extent of the power which they actually exert, only claim "the control of the purse." But the power given to the Board of Trade by Sec. 405, which seems intended only to meet cases in which the Trinity House do not signify their approval of the works which the other general authorities submit to them for their sanction, appears to have been taken to embrace other cases, and to include a power of control over the Trinity House; and such a power of control has been exercised in many instances in England, Ireland, and Scotland.

Under Secs. 408, 409, the Board of Trade have power to sanction directions originating with the Trinity House, and addressed to the other general authorities, and they act as a court of appeal; but no case has been brought to the knowledge of your Commissioners in which this power has been exercised.

As illustrations of the manner in which the control of the Board of Trade is exercised the following may be cited. In the case of Godrevy the Trinity House, anticipating the non-concurrence of the Board of Trade on the score of economy, selected a site, but not the site they would have preferred, and it was finally adopted; but not until after several other sites had been suggested by the Board of Trade, and after a correspondence extending from the 13th July, 1855, to 18th November, 1857.

In the case of the lighthouse at North Uist, the Commissioners of Northern Lighthouses were over-ruled through the Trinity House, and a temporary lighthouse was built on a situation, of which the engineer of the Scotch board disapproved. The men considered themselves to be in great danger when the bad weather came on, and they are now, as appears from the correspondence, cut off (in the permanent lighthouse) from communication with the shore whenever the weather is foggy, because their lordships would not sanction the laying of an electric telegraph which the Commissioners wished to construct; and the making of a path from the houses to the shore, to facilitate a walk of some miles over rough ground, was refused. The keeper on shore is now compelled to walk over hills in all weathers, and often in vain, for the signal hung out is frequently invisible from fog, when the observer arrives at the point from which the lighthouse can be seen in clear weather; and one keeper nearly lost his life in the performance of this duty. The great importance of this signal being made out every day is dwelt on by Mr. Cunningham in his evidence.

Again, the light at Holborn Head was made the subject of a voluminous

correspondence lasting from 24th December, 1856, to 9th February, 1860. The cost of the site was 200*l*. The main questions in dispute—the breadth of a road, and whether the proprietor of the land should be entitled to use it—and the result is thus described in a letter from the proprietor: “The terms * * * are the same proposed by the Commissioners and agreed to by me more than two years ago.”

The Ballast Board of Dublin, in 1854, were deprived of a steamer which they purchased in 1851, in consequence of the Board of Trade not considering it sufficiently used. The vessel was transferred to the Trinity House, and sold by order of the Board of Trade; the original cost was 18,500*l*., and the price realized about half that sum; and the Ballast Board forward stores to lighthouses in sailing vessels, make their inspection in steamers borrowed from the Trinity House, and shift buoys of a large size by means of a small steamer called the *Midge*, which your Commissioners saw, and considered to be wholly unfit for the seas of the Western Ocean. In consequence, as it is stated, stores are delayed, so as to endanger in some instances the extinction of lights in distant situations. The members of the Ballast Board are delayed and impeded on their inspections, and their movements being known long before-hand, their visits are expected and are less useful. The buoy service is made one of considerable danger, and it is unquestionable that the money saved is quite insufficient to counterbalance the risk incurred, and other disadvantages. In this case the Board of Trade, as appears from the correspondence, not only deprived the Ballast Board of the steamboat contrary to the wishes of the Ballast Board, but entered into negotiations with steamboat companies for shifting light-vessels.

The Commissioners for Northern Lighthouses were overruled in the selection of the illuminating apparatus to be used at the Butt of Lewis, and again at the lighthouse of Rhu Vaal, at the entrance of the sound of Islay, as to the height, as to the arc to be illuminated, the colour exhibited, and the purpose of the light. The decision was opposed to the opinion of the surveying officer on the district, and to that of the seamen and others acquainted with the locality; and it does not appear that it was wholly approved by the Trinity House.

The lighthouse on the Iron Rock (Sound of Jura) remains unbuilt in consequence of a difference of opinion as to an estimate (9,360*l*.) for plans which had been approved by the Board of Trade, but which, as they maintained, must be executed, if at all, for a considerably less sum (6,000*l*.) than that which the engineer employed by the commissioners of northern lighthouses considered necessary; a voluminous correspondence took place, which has ended in a complete suspension of all proceedings, to the detriment of the service. The Board of Trade, although fully admitting the remarkable accuracy of the estimates of the Messrs. Stevenson, as tested in numerous works by the ultimate expense incurred on them, refused to allow tenders to be invited for this lighthouse, seeing apparently some connection which your Commissioners have been at a loss to discover between the amount of an engineer's estimate, known only to the authorities, and that of the tenders which follow it.

When a gun was asked for as a fog signal on board the Kish lightvessel, the Board of Trade objected to the expense on the ground that it was for the benefit of vessels trading to the port of Dublin, and to the fact of a gun being fired, as it might possibly be mistaken for that at Holyhead by

vessels that were not crossing the Irish Channel. Yet at length they consented to a large bell of peculiar construction, and afterwards allowed the gun instead, provided it was not purchased or maintained at the expense of the Mercantile Marine Fund, and if fired always twice in succession.

And so the power of the purse appears to be construed into the right to control the action of the authorities in all matters however minute, which involve the slightest expenditure.

The Board of Trade claims to exercise their power of control to this extent under Clauses 422 and 406 of the Merchant Shipping Act. It becomes a subject for consideration, how far the control so exercised is beneficial or necessary, and whether the saving in cost (if any) secured, is worth the time lost, and the danger run by ships during these lengthened discussions between the authorities. It appears to your Majesty's Commissioners that the better and simpler course would be to make the lighthouse authority which ought to be responsible for the position, character, and everything connected with the work, responsible also for its cost. As matters are at present, the Scotch Board and the Irish Board cannot be held responsible, for they have two masters over them; and as the Trinity House were practically overruled in the case of Godrevy, the real governing body has come to be the Board of Trade.

It is therefore important to consider whether the Board of Trade, when acting in strict accordance with the provisions of the Act, is the department of Government best constituted to form an opinion on subjects connected with coast illumination, and better able to judge of the necessity of establishing new works than the authorities who propose them. For example: Captain Bedford, the surveying officer on the west coast of Scotland, proposed the placing of certain buoys which he considered to be of importance for the interests of general navigation; the Commissioners for Northern Lighthouses approved of most of these suggestions, adopted some of them, and, on the 8th of March, 1860, wrote for the statutory sanction of the Trinity House to the placing of these buoys. On the 21st of March, the Elder Brethren "did not feel that they would be justified in recommending to the Board of Trade, that they (the buoys) should be placed at the expense of the Mercantile Marine Fund." And, on the 9th of April, the Scotch Commissioners appealed to the Board of Trade, on the ground that the reasons given by the Elder Brethren were insufficient. They pointed out that some of the buoys were intended for the use of vessels navigating the Caledonian Canal, and others for those navigating the Sound of Jura, where it has been thought advisable to erect two large lighthouses for general purposes, and that other buoys were for other localities where beacons and lighthouses are in course of erection as part of the general scheme.

On the 20th of April, the Board of Trade sanctioned the placing of one of the proposed buoys, but it was stated that "as regards the other buoys, my lords, without entering into the question whether they would be useful for the local, rather than the general trade, are not disposed to think them necessary, and must, therefore, decline to sanction the expense."

Assuming that this decision is strictly within the provisions of the Act, and setting aside the rights of the question, your Commissioners deem it to be a matter for grave consideration whether the constitution of the Board of Trade is such as to make that department of the Government best able to judge of such questions. The surveying officer on the station, who has the best opportunity of judging of the facts, and the Commissioners, who are

responsible for the work, are agreed. The Trinity House differ from both on a financial question; and the Board of Trade differ from all, and decide on a question of expediency. They sanction the placing of one buoy, admitting the principle for which the Scotch board contend, and so overrule the Trinity House; they refuse to sanction the rest, and so overrule the Scotch board; and they give as their reason, that they do not consider those buoys necessary.

In this recent case then the principle of Government is clearly laid down, and brought into action. The refusal is on the ground of expediency; the question in dispute is not settled, but the umpire decides the matter from his own point of view, and so far as regards the Scotch and Irish boards (if not the Trinity House itself) the principle of this case seems to be the ruling principle of the control as at present exercised by the Board of Trade over the lighthouse authorities.

If this is the principle authorized by the Merchant Shipping Act, the independent action of the lighthouse authorities has ceased to exist. The governing authority has, in fact, become vested in the Board of Trade, though no provision is made by the Act to enable that department to judge more accurately of such matters than the lighthouse authorities who are controlled, and the Admiralty surveying officers, whose local knowledge has been disregarded. If the governing power is really vested in the Board of Trade, and if that department is so constituted as to be competent to conduct the service, the other authorities are superfluous. On the other hand, if the general authorities are necessary, and conduct their business satisfactorily, and are to be continued, their powers should not be thus limited or thus controlled.

As matters now stand, the whole management of the lighthouse service appears to be impeded by the opposing action of three separate governing bodies; and it does not clearly appear what advantage is gained to counter-balance the delay which results from this complicated system.

3rd. *Trinity House*.—The next in order of the authorities having charge of lights, &c., is the Trinity House. By Section 392 of the Merchant Shipping Act, that body may enter and inspect all lighthouses under the management and control of the two general authorities next in order; namely, the Commissioners of Northern Lighthouses, and the Ballast Board, Dublin. By Section 405, it may control these two bodies, by refusing its sanction to new works, or to proposed alterations in existing works, but this power is subject to an appeal to the Board of Trade. By Section 408, it may direct the other two to execute new works, or to modify or remove works in existence, &c.; but this power requires the sanction of the Board of Trade, and seems never to have been exercised. As to the power of inspection over the other two bodies under Section 392, the Elder Brethren, in reply to Question 8, Circular I., have furnished a return showing the special services and inspections in which they were engaged in 1857 and 1858, from which it appears—That from May 6th to 26th, 1857, “a committee (accompanied by Captain Sullivan, of the Board of Trade) visited the west of Ireland” and “round Scotland,” and that they were accompanied by officers of the Scotch and Irish Boards. The names of the places visited are given in detail, and include places on which lighthouses have been erected, or on which it has been proposed to erect such works; places which have been the subject of much correspondence, in which the views of the Commissioners of Northern

Lighthouses differed from those of the Trinity House, and the Board of Trade; for example, the Iron Rock in the Sound of Jura; Macarthur's Head, the Black Rocks, and Rhu Vaal, in the Sound of Islay. The lights visited were few, and the time short, and it was partly occupied in inspecting localities in England, in coaling, &c.

On the 17th of May, 1858, a committee of the Elder Brethren visited St. Abb's Head, accompanied by Captain Sullivan, three of the Northern Commissioners, and Mr. Stevenson. This power of inspecting works not in England was, therefore, not exercised to a great extent in these two years by the Trinity House, either in Scotland or Ireland. As to the power of control under Sections 405 and 408, the action of the Trinity House throughout, as appears from that correspondence, has been subordinate to the action of the Board of Trade, and views apparently originating with the Board of Trade have been carried out, in cases where a difference of opinion had arisen between the lighthouse authorities on other points.

It seems, therefore, from these returns, that the power of inspection conferred on the Trinity House has been sparingly exercised, and that the power of control and direction has generally served to transfer the decision from the Commissioners of Northern Lighthouses and the Ballast Board through the Trinity House to the Board of Trade.

SYSTEM OF MANAGEMENT.—The management of the lighthouses, floating lights, buoys, and beacons on the coast of the United Kingdom has been entrusted to what are termed the three general authorities. They are the following:—

1st. The Trinity House, by the Mercantile Shipping Act, under Section 389, has the superintendence and management of all lighthouses, floating lights, buoys, and beacons in England, Wales, the Channel Islands, Gibraltar, and Heligoland, except those which are under local authorities.

2nd. The Commissioners of Northern Lighthouses, subject in some matters to the control of the Trinity House and the ultimate control of the Board of Trade, have in Scotland, and in the Isle of Man, the management of lights, buoys, and beacons, except those which are under local authorities.

3rd. The Ballast Board of Dublin have similar authority, subject to similar control and exceptions, in Ireland. Under Section 396 of the above Act, these general authorities may levy the same dues as formerly. Under 398, they may, with consent of the Queen in Council, exempt from dues, alter the mode of collection, or substitute dues for other dues. Under 401, they may, by their collectors, distrain for dues. Under 402, they account, as is directed by the Board of Trade, and pay over the money to the Paymaster-General. Under 404, they may build, remove, or alter lighthouses, and place, erect, remove, or alter buoys and beacons, but the Scotch and Irish boards must have the sanction of the Trinity House, and, in case of dispute, of the Board of Trade. Under 415, they may prevent false lights, under a penalty of 100*l*. Under 394, with sanction of the Board of Trade they may compel local authorities within their several jurisdictions to lay down new buoys, remove or discontinue lighthouses and beacons, and vary the character of lighthouses and lights.

And they may prevent the construction of new lights by these authorities. Under 395 they may apply to the Queen in Council for the punishment of a defaulting local authority. The powers then of these three general authorities are twofold:—1st, the power under which they manage their

own service; 2nd, their control over local authorities. Before considering the action of these general authorities, it may be useful to give a short account of the origin and history of each.

GENERAL AUTHORITIES.—1st. *The Trinity House*. As appears from the report of the Select Committee on the Foreign Trade of the Country, 1822, the germ of the corporation existed as early as the reign of Henry the Seventh, as an Association for Piloting Ships. In the reign of King Henry the Eighth the society was incorporated by Royal Charter (May 20th, 1514), and this charter was confirmed and altered by Edward the Sixth, Queen Mary, Elizabeth, and James the First. The charter of James the First settled this constitution of the corporation, and such it continues. The charter was dissolved in 1647, but was renewed by Charles the Second on the Restoration, and the disposal of the funds was settled partly for charitable purposes. The charter was surrendered to Charles the Second, and renewed by his successor in 1685; and the charitable uses of the funds of the corporation were again settled. These funds were derived from various charges, such as pilotage, lastage, loadmanage, ballastage, &c. The light dues, the principal source of the revenues of the corporation in 1822, and the source from which lights are now supported, were chiefly collected under patents granted by the Crown, upon the petition of persons offering to pay certain sums for the erection of lights; which dues the Crown authorized the corporation to receive as a compensation for the erection and maintenance of the lights required.

The corporation had also the power of erecting and maintaining beacons and marks of the sea.

The first light under the management of the Trinity House was erected in 1680, subsequent to the erection of several lighthouses by private individuals; and these private persons, and their successors, and others, subsequently erected lights, obtained patents, and under them levied dues on passing ships; which, as trade increased, grew to be large incomes.

The following was the state of affairs when the Parliamentary Committee was appointed in 1822:—The Trinity House and private individuals were maintaining lights and levying dues on passing ships, British and foreign; the former applying their funds, amongst other purposes, to support charitable institutions, and the latter applying the surplus of the dues levied to their own uses as their own private property. With this disposal of the funds, the Committee of 1822 found no fault, but they recommended the substitution of a tonnage rate for passing tolls, and the purchase of the interests of individuals in private and leased lights, and that all these should be brought under one control.

In 1834 another Parliamentary Committee was appointed, which reported on the then state of affairs. They dwelt strongly on the importance of the service, the impropriety of levying dues on shipping for the benefit of individuals, and on the different constitution of the boards of management in the United Kingdom; and they recommended—That all public general lights should be placed under one board, resident in London, and conducted under one system of management. That the Trinity House should have the management of all general public lights in the kingdom; and that their rules should be altered and extended so as to admit officers of the Royal navy and other scientific persons. The Committee considered that the admission of the hydrographer of the Admiralty, and of other

scientific persons, would give a strong impulse towards the execution of the duties assigned to the Elder Brethren; and they mentioned, though they did not recommend, the board suggested by Captain Drummond, namely, a board to consist of four persons. 1, A seaman (the hydrographer to the Admiralty); 2, a scientific chemist; 3, a member of the Royal Society (an optician); and 4, the president or vice-president of the Board of Trade, together with secretary and proper officers. They recommended that the central board, when appointed, should examine every local light on the coast. They considered the relative advantages of the dioptric and catoptric systems, and of the oxy-hydrogen light, which was suggested as applicable to lighthouses. They held that every necessary expense should be incurred for the maintenance of the best lighthouses and floating light establishments which the state of science could afford; and that the light dues should in every case be reduced to the smallest sums requisite to maintain existing, and to construct new establishments.

The reports of these two committees are valuable, and contain much information; but it seems superfluous now to dwell on such of the evils as have been remedied; to refer further to private lighthouses, which no longer exist, and to the levy of light dues for, amongst other purposes, the support of "poor mariners," a charity which is gradually being abolished. But as the portion of the Merchant Shipping Act, which relates to lighthouses, appears to be the result of the third Parliamentary Committee appointed in 1845 to consider the lighthouse question, it is necessary to notice that report also.

It refers to that state of the law which existed in 1836, but which was subsequently altered in 1854 by the Merchant Shipping Act. To the financial affairs of the Trinity House, and to their vested rights, which are also provided for in the same Act. It states that the lights in the United Kingdom were then in an efficient state. That complaints were made of the amount of dues, not of the efficiency of the lights. It recommends that there should be one central authority, namely, the Trinity House, of which body one-third should be nominated by the Crown. That lighthouses should be maintained at public expense. That the Trinity House should be repaid the sums spent by them in the purchase of private lights, and failing the adoption of that recommendation the Committee point to the substitution of a tonnage rate for passing tolls.

The Trinity House is therefore a very ancient corporation, which has grown up and has to a certain extent altered with the times, but which is in the main the same corporate body which existed in the time of James the First, if not in the reign of Henry the Seventh. Its present constitution is explained in detail in the replies to Circular I. It consists of the master, deputy-master, elder and younger brethren. The elder brethren are divided into honorary members and acting members. The master and the honorary members receive no remuneration. The acting members are retired masters of the merchant service, except three, who are naval officers. They are recruited from the younger brethren, the majority of whom are masters and mates in the merchant sea service, a few are naval officers, and the corporation is a self-electing body. His Royal Highness the Prince Consort is the present master.

2nd. The Commissioners for Northern Lighthouses were incorporated by the 38th Geo. III. c. 58, and their present constitution is given in their

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replies to Circular I. They consist of two law officers of the Crown, the sheriffs of certain maritime counties, the provosts of certain royal burghs, and the provost of Greenock, and were specially established in 1786 by Act of Parliament, for the management exclusively of lights, &c., in that country. The Commissioners are unpaid, and hold their position *ex-officio*. The committees which recommended the constitution of a single Central Lighthouse Board necessarily implied the abolition of this separate jurisdiction, but no complaint was made as to its efficiency.

3rd. The present constitution of the Ballast Board of Dublin consists of members of the port of Dublin Corporation, who at present are mainly connected with the commerce of the Irish capital; but includes a retired naval officer, who previously commanded the coast guard in Ireland. The corporation acts under the 23rd Geo. III. c. 19; and the lights were formerly under the superintendence of various other bodies, such as the Barrack Board and the Commissioners of Customs.

The government of public general lights in the United Kingdom is, therefore, entrusted to four bodies differently constituted. 1st. The Board of Trade, a department of the Government, whose president changes with the Government, whose members are not selected for their knowledge of the science of lighthouse illumination, and who have not necessarily any officers specially instructed in that subject. 2nd. The Trinity House, an ancient corporation, with a variety of duties, many of which are not connected with lights, &c., whose acting members are retired commanders in the merchant service, and naval officers; who have a paid engineer, but who have no paid officer attached to their body specially instructed in science, though they are allowed to consult with scientific men, and do consult Professor Faraday from time to time. 3rd. The Commissioners of Northern Lighthouses, a body consisting chiefly of gentlemen of the legal profession, who have no paid officer for the scientific department. 4th. The Ballast Board, a body whose acting members are merchants, bank directors and governors, magistrates, railway directors, &c., including a retired naval officer. In short, the government of lighthouses in the United Kingdom, their management and construction, are all confided to bodies of gentlemen of various employments, none of which necessarily afford them an opportunity of acquiring a knowledge of those branches of science which bear upon lighthouse illumination.

It is both interesting and instructive to compare the constitution of these authorities with that of the lighthouse boards in other countries.

In France, the lighthouse service is under the ministry of public works, and a special commission called "Commission des Phares," which body consists of naval officers, marine engineers, hydrographers, members of scientific bodies, and other gentlemen, distinguished for their scientific attainments, in various professions, all of which have to do with branches of science connected with coast illumination. The general conduct of the service is under an officer called Directeur General des Phares, who is an engineer, and has other engineers under him; and in every district on the coast there are resident engineers employed about government works, and, amongst others, in the superintendence and construction and management of lighthouses. The Commission have special workshops in Paris for testing and setting up illuminating apparatus, and they give directions to the manufacturers for every part of the lighthouse apparatus, including the calculation of angles for prisms and curves for lenses, and similar important

matters, for which no provision is made in the English system of government. In the United States of America the lights are under one central board, constituted in 1852, and composed of a member of the Government, engineer officers, and officers of the army and navy, and civilians of high scientific attainments. In Sweden the lights are under the Admiralty, and managed by a director and officers who have military rank, and engineers; and the coasts are divided into districts and sub-districts allotted to these officers. In Norway the service is under the Royal Marine Department, with a director and assistants. In Turkey it is under the Admiralty; but the department was at a loss to furnish information. In Hanover the service is under the director-general of waterworks. The buoys are placed by pilots; and the lights and buoys are inspected by inspectors of waterworks. In Hamburg they are under the Committee for Harbours and Navigation, under the direction of the commander and inspector of pilots. In Spain the system of administration is the same as in France. The lights, &c., are under the department of public works, and under a permanent commission composed of engineers of superior rank of the corps of roads, &c., and naval officers; and the captains of ports are instructed to suggest improvements and report on the lights. In Denmark the service is under the Ministry of Marine, entrusted to one light engineer and two buoy inspectors, furnished with instructions relative to their respective official duties. In Russia the superintendence is dependent from the hydrographical department. In Holland the management of lights, buoys, and beacons rests with the Minister for the Marine, under whom are an inspector-general and seven inspectors. In Belgium the construction of lighthouses is under the Minister of Public Works, but when built they are handed over to the general direction of the navy, which is under the Minister for Foreign Affairs. They, with the floating lights and buoys, are under the superintendence of the inspectors of pilotage. In Austria the superintendence of all the lighthouses, buoys, and beacons belongs to the Imperial Royal Admiralty. The deputies of the Exchange at Trieste attend to lighthouses—their erection, management, collection of dues, &c. The inferiors of the Admiralty attend to the superintendence of buoys and beacons.

The principle then in all foreign countries seems to be, that lighthouse illumination, being highly important, and requiring special knowledge of certain subjects, should be entrusted to persons acquainted with those subjects, and that the Government should be centralized.

Whilst the practice in Great Britain seems to have been to entrust lighthouse illumination to persons whose pursuits did not indicate any previous knowledge of the subject, and the fact that for 404 lighthouses and numerous buoys and beacons, there are at least 174 different authorities under as many Acts of Parliament, shows that the principle of local and independent self-government has at all events not been lost sight of. The Elder Brethren of the Trinity House, however, having been mariners, may be supposed to have had much experience of the practical wants of sailors, and to be peculiarly well versed in all that relates to lightships; while the Commissioners of Northern Lights, being gentlemen of the legal profession, whose position is a guarantee for their intelligence, may be supposed able to form a good opinion of the character and qualifications of candidates for the posts of secretary and engineer, and to exercise a wise discretion in selecting them, and to collect and form a correct judgment on

evidence and matters of opinion relative to matters under their charge; and the Ballast Board, being constituted of gentlemen engaged in large commercial transactions, may be supposed to be well acquainted with general business, and fairly competent to form a correct opinion on such questions as the purchase of sites, and the tenders for the erection of new works, or the materials required for the maintenance of the service.

The lighthouse boards of foreign countries generally include engineers, hydrographers, and professionally scientific men. The general authorities in the United Kingdom have employed engineers, and that these have been able men is testified by the works which they have erected. The engineer of the Commissioners for Northern Lighthouses used to attend the board meetings until January, 1855, when, by the requirement of the Board of Trade, he ceased to do so, to the great regret of the Scotch Commissioners, who were thereby, as they stated, deprived of the presence of the only scientific member of their Board.

The hydrographic department of the Admiralty has frequently lent its services to the general lighthouse authorities, but they, of course, have had no claim upon that department.

The Trinity House has consulted Professor Faraday as its scientific adviser since 1836, but it appears that he only gives his opinion or advice on such subjects as are submitted to him. The Northern Commissioners have had the great advantage of having associated with them the family of the Stevensons, who have given much attention to those departments of science which relate to lighthouse illumination. That the scientific element was very deficient in the system of lighthouse management in 1834 was evident to the Parliamentary Committee which sat in that year.

That the scientific element continues to be deficient has been evident to your Commissioners from an early period of their inquiry. Many of the preceding observations have indicated this; but in addition they would draw attention to the following facts:—1st. The present arrangements often betray an evident want of scientific thought. No greater proof of this can be given than what is contained in the paper on the Whitby lights, together with the admirable reports of the Astronomer Royal, Professor Faraday, Mr. J. Chance, and Messrs. Stevenson.

2nd. The Trinity House, by having secured the services of Mr. Faraday, are fortunately prevented from ever finally committing themselves to the adoption of any impracticable scheme; but by their not having constantly present at their Board any scientific person, the carrying out of any invention may be seriously embarrassed, and some invaluable inventions may not be appreciated and thereby lost.

3rd. There are a great number of questions of a scientific character, having reference to lighting or buoying the coasts, which are as yet unsolved, and only require the attentive consideration of men of science accustomed to experimental investigation, to educe such results as will doubtless increase the efficiency of the systems now in use, and may lead to some extensive improvements. To some of these questions we have incidentally paid attention; and one of our number has drawn out a list of seventy-six separate investigations, which might be undertaken with a likelihood of profitable results.

4th. There is a large amount of scientific talent in the country which might easily be turned in the direction of the suggested inquiries. In corroboration of this opinion your Commissioners would draw attention to

the great mass of valuable information and suggestion which has been elicited from those scientific men—some of them of the greatest eminence—who have replied to Circular IX. These replies are commended to the most careful consideration of whatever authority may in future have the charge of the lighting and buoyage of our coasts.

5th. As a test of the degree of scientific knowledge exhibited by the different lighthouse authorities, your Commissioners asked for copies of the plans, specifications, &c., actually submitted to the manufacturers in ordering the last two sets of lenticular apparatus of large size or peculiar form. The resulting correspondence is given in Vol. I., p. 210, with an account of the different practice of the four principal lighthouse authorities, viz., the Board of Trade, the English, Scotch, and Irish Boards. From this it appears that in Ireland forms of tender are issued, "setting forth the arc intended to be illuminated, the number of panels and zones required, and that the apparatus shall be of the best quality, and fitted together correctly;" in England, printed forms and lithographed drawings of small size are furnished to the contractors; while in Scotland, large working drawings and minute directions are given by the engineer employed by the governing authority, for the execution of apparatus specially designed by them for special localities. In the case of the English and Irish Boards, the governing body does not originate the design. In Scotland, a design is furnished by the governing body, and the manufacturer has only to execute the order given. The latter arrangement seems calculated to produce an advance in science; the former is simply an order for a well-known instrument, accompanied in England, by drawings, which closely resemble those published by the manufacturers in their trade lists, and which are almost, if not quite, identical with the drawings in the trade lists of Mr. Wilkins, a gentleman who does not himself manufacture the glass of dioptric apparatus.

Here, then, seems to be a defect in the system of management. None of the lighthouse authorities have by their constitution any special knowledge of these branches of science which relate to the construction of the lighthouse apparatus which they require. When they employ men who have made these particular branches of knowledge their study, the result is good. The Commissioners of Northern Lighthouses have in this respect shown themselves considerably in advance of the Elder Brethren of the Trinity House by employing an engineer who has studied lighthouse illumination, and claims to have invented or introduced many improvements into optical apparatus, to prepare specifications for scientific work. The result of the opposite course adopted by the Trinity House is shown in the defects observed at Godrevy, the Start, the North and South Foreland, Whitby, &c.

After further remarks on the efficiency and economy of Government, the Commissioners continued as follows:—

CHANGE OF SYSTEM OF GOVERNMENT.

From an early period of our inquiry it has been evident to your Majesty's Commissioners that changes might be advantageously made in the system of management and control under which the lighthouses, floating lights, buoys, and beacons on the coasts of the United Kingdom, and certain lighthouses in the colonies, are constructed and maintained. The evils of a double, triple, or quadruple government, the anomalies arising from such

a multiplicity of systems, and the want of certain necessary elements in all the managing boards became more and more apparent as our inquiry advanced. Yet so complicated was the question, and so great are the interests involved, that it has demanded long and careful consideration on the part of your Commissioners before deciding on the nature of the change they would recommend. By a sort of exhaustive process a scheme of government has been arrived at, the reasons for which are more particularly set forth in the chairman's letter attached to this report, and whose words in describing the proposed change we have thought proper generally to adopt.

It was beyond the province of this Commission to recommend any change in the fund for maintaining lights, buoys, and beacons, but bearing in mind the possibility or probability of a change, they have so arranged the proposed scheme of government that it is equally well adapted,—1st, to the present system of levying tolls on the passing trade; 2ndly, to a system which has occasionally been suggested, viz., a tonnage rate, which promises some advantages, and, in addition to that of simplicity, a great economy, both of labour and expense in collection; and, 3rdly, to that system which has been recommended to the legislature by the four special committees that have been authorized to treat directly this important portion of the subject, viz., that the expense of erecting and maintaining our lighthouses should be defrayed out of the public revenue.

Had the question submitted for the consideration of your Majesty's Commissioners been how to form the most perfect system of lighthouse management for the first time, we should probably have suggested a simpler and more responsible form of government; but, regarding the subject in all its bearings, as we were bound to do—considering the existing, almost national institutions, the extent of practical knowledge possessed by them, as well as the large machinery employed—we have deemed it expedient to build on existing foundations rather than to reconstruct out of entirely new materials; and we, therefore, recommend that the government and management of the lights, buoys, and beacons of the United Kingdom, and of certain lighthouses in the colonies, be vested in a new central authority to be denominated the Trinity Commissioners for Lights, and that the expenditure of such Commissioners be brought directly under the control of the House of Commons by an annual submission of their estimates, through the Board of Trade or the Board of Admiralty, as may be deemed best, and that when once the estimates have been approved of by Parliament the expenditure of the funds voted be entrusted to the sole discretion of the Trinity Commissioners, under the recognised system of imprest and audit.

To constitute this Central Authority, to be denominated the "Trinity Commissioners for Lights," it is proposed that four members be elected by the Elder Brethren in such a manner as will ensure the retirement and election, after the first four years, of one member annually, and that to these four be added one member for Scotland, to reside in Edinburgh, and another for Ireland, to reside in Dublin, elected every four years, the whole to be eligible for re-election; and, in addition to the above six members, who should be engaged in no other business, that one other member be selected by the Government with special reference to his scientific acquirements in those branches of knowledge which relate to coast illumination, as enumerated by us in Circulars IX. and X., the whole subject to the approval of Government, and to have salaries commensurate with the importance of

their duties and with the necessary engagement of their time. To these it is proposed to add the Astronomer Royal, the Hydrographer of the Admiralty, the Comptroller-General of Coast Guard, and one of the professional members of the Board of Trade, which last four persons would be ex-officio "Trinity Commissioners for Lights," and should be liberally paid for their attendance at the weekly boards, or oftener if summoned.

The appointment of a governing body such as is sketched out above implies the transference to it of the lighthouse duties of the Board of Trade, Trinity House, Commissioners of Northern Lighthouses, and Ballast Board, and we recommend that the election of the Scotch and Irish resident members should rest with the public bodies whose members have so long and so zealously, and without gratuity, performed the lighthouse duties in the two countries; and for the purpose of selection from time to time, it would be highly desirable that the Commissioners of Northern Lighthouses should continue to exist as a body constituted as at present.

The members, who would thus be resident in Scotland and Ireland, and whose duties in those countries would be generally executive, should receive the same salary as the four executive members of the Central Board, selected from the Elder Brethren; and as the subject of new works and changes would probably only be discussed at collective meetings in London, and at a time when the estimates were being prepared for Parliament, it would be proper that they should attend in London at that period, and on other occasions when summoned by the Central Board.

In addition to the increased responsibilities to be vested in the new governing authority, we recommend that the whole of the local lights and buoyage in this kingdom be subjected to an annual inspection under the direction of the Trinity Commissioners for Lights, and an annual report of the same be presented to Parliament with the lighthouse estimate; that the powers already vested in the general lighthouse authority with regard to local lights, &c., by various Acts of Parliament, be put into more active operation; and that further powers be given, as already stated; and in the event of the expenses for lights, &c., being defrayed out of the public revenue, that the Admiralty lights, beacons, and buoys, exclusive of mooring and warping buoys, be given over to the same body.

Staff.—Qualifications of a special order, such as are only to be found in a person trained to the business of what the Astronomer Royal, in his letter of the 10th November last, aptly terms an "Optical Engineer," are absolutely necessary for the staff of the Central Board. Such an officer should, therefore, be appointed, together with three inspectors of lights, one for each country, who should themselves be well acquainted with optical engineering. The clerical staff now employed in the management of lighthouse business would be more than sufficient under the altered circumstances.

Though we recommend the assimilation and amalgamation of the entire lighthouse systems of England, Scotland, and Ireland, yet, on account of the great extent of coast line in the three countries, we consider it desirable to retain an office in Edinburgh and another in Dublin, which shall be the ordinary head-quarters of the resident member of the central authority, with the secretary and inspector of lights, attached to Scotland or Ireland respectively. In Ireland a marine inspector for floating lights and buoys will be necessary, as at present; and another will be required for England,

unless the Trinity Commissioners should continue to discharge that duty, as it is at present performed by the Elder Brethren.

Visitation of the Royal Society.—In order to satisfy the public that our lighthouses, and the whole system of lighthouse illumination, are in all respects what the highest state of science can produce, and the interests of this great maritime country require, your Commissioners would recommend that your Majesty should be advised to issue your warrant appointing the President and Council with other Fellows of the Royal Society annually to visit the central establishment of the Trinity Commissioners, as is now the case with the Royal Observatory; and that the Trinity Commissioners for lights should on that occasion submit a report of their proceedings in all matters relating to the development of and improvement in lighthouse illumination to the visiting board of the Royal Society; such report to be presented to Parliament with the annual estimates.

Coast Guard.—We recommend that the officers of the Coast Guard be employed in that frequent inspection of the lights by night which we have reason to believe is absolutely necessary to the incessant maintenance of the best flames, and to the due vigilance of the keepers; also that the gunboats and the tenders attached to this branch of the service should be employed, when practicable, for purposes of inspection, supply of stores, and changing of crews, in lieu of the expensive system at present in operation.

Representation in Parliament.—Whether the funds to be provided for the lighthouse service continue to be raised by dues, or by the simpler and more economic mode of a tonnage rate, or ultimately from Imperial funds, the estimates regulating the amount of these funds will have to be submitted to Parliament; and as the proposed Central Board would not be represented in, and would not be directly responsible to Parliament, some department of Government will have to present the estimates to the House of Commons, and whatever that department might be, it would necessarily in some sense be responsible for those estimates; but this responsibility should extend no further than to the being able fully to explain the several items of those estimates to the House.

This representative body, your Majesty's Commissioners propose, should be either the Board of Trade or the Admiralty.

In the various statutes establishing the authority and duties of the Trinity House, the office of the Lord High Admiral or that of the Commissioners for executing that office is frequently referred to; and it is impossible to read the evidence taken by the committees successively appointed by Parliament in 1822, 1834, and 1845, to inquire into lighthouse management, or the correspondence in the last twenty years between the Admiralty, the Board of Trade, and the Colonial Office respecting colonial lights, without it being apparent that not only the Board of Trade, but the Trinity House also, have more or less leant upon the Admiralty in fulfilling their duties, and that there must always be an official and essential relation betwixt the lighthouse service and the Admiralty; but although the dependence of the one upon the other of these departments has in no degree diminished, but rather the contrary, yet in the Merchant Shipping Act, 1854, this connection is ignored, and the Admiralty nowhere appears in our lighthouse polity, as set forth in that Act.

Nevertheless, the Admiralty is that department of the Government which more than any other possesses the means for effectually assisting in carrying on the lighthouse service. These means consist of its able hydrographic

staff, both at home and abroad, and the necessary affinity existing between that staff and the lighthouse service, as shown in the Admiralty letter of 1st February, 1861, its present complete chainwork of Coast Guard stations and flotilla, under intelligent naval officers at every point of the coast; and its employment of the ablest engineers of this country, whose estimate for a work, when once submitted, would scarcely admit of the prejudicial disputes which now retard the prosecution of important works.

On the other hand, we have the Board of Trade, a department having the general superintendence of matters relating to merchant ships and seamen, and which, since the passing of the Merchant Shipping Act, 1854, has had the control over the three general lighthouse authorities, and in its six years' exercise of that control much valuable experience must have been gained; it is also the department at present representing the lighthouse authorities in Parliament, it has—so far as the limited machinery at its disposal admits—devoted great attention to lighthouse business, and has most scrupulously kept in check all lighthouse expenditure; whilst, under the system as now proposed, the Board of Trade would have one of its professional members an *ex officio* member of the new central body.

Leaving it then an open question, to be decided by the Government, whether the Board of Trade or the Admiralty is for the future to represent our lighthouse government in Parliament, and reverting to the unanimous opinions of the several Parliamentary Committees, embodied as those opinions are in the recommendation of the Committee of 1845, viz., "That all expenses for the erection and maintenance of lighthouses, floating lights, buoys, and beacons on the coast of the United Kingdom be thenceforth defrayed out of the public revenue," the representative duties would be confined to the presentation of estimates of a simple nature prepared by the Trinity House Commissioners in a comprehensive form, and the acquiring of information necessary for the full explanation of these estimates to the House of Commons; neither of which would involve an amount of trouble deserving of any consideration in weighing the relative advantages possessed by the two departments, or in deciding which is most likely to afford the largest amount of material support to the Commissioners appointed to carry out the lighthouse service of the country.

FOREIGN SEAMEN AND APPRENTICES.

Return of the Number of Foreign Seamen employed in British ships registered in the United Kingdom for the years 1851 to 1858 inclusive, distinguishing each year; and of the Number of Apprentices in British ships from 1849 to 1858 inclusive, distinguishing each year. (Mr. Hugh Taylor.) 14th July, 1859. (93 Sess. 2.)

THE number of foreign seamen employed in 1851 was 5,793; 1852, 5,700; 1853, 7,321; 1854, 13,200; 1855, 12,927; 1856, 13,321; 1857, 14,375; and 1858, 12,334. The number of apprentices serving in British registered vessels on the 31st December, was as follows:—In 1849, 31,636; 1850, 24,394; 1851, 17,411; 1852, 11,105; 1853, 13,826; 1854, 18,423; 1855, 22,847; 1856, 24,847; 1857, 25,096; and 1858, 23,831.

PACKET SERVICE.

An account showing the several Contracts entered into and existing in relation to the Packet Service, the Parties to such Contracts, and dates of each, and a statement of the Funds on which such Contracts are payable. (Lord Mont-eagle of Brandon.) 23rd March, 1860. (66 L.)

BETWEEN Liverpool and the Isle of Man, there was a contract between the Post-office and the Mona Isle Steam Company, dated 10th July, 1833, payable with imperial funds by vote of Parliament. Between Holyhead and Kingstown, Admiralty with the City of Dublin Steam Packet Company, 9th April, 1850, payable by vote. Between Aberdeen and Lerwick, and the Shetland Isles, the Admiralty with the Aberdeen, Leith, and Clyde Shipping Company, 12th April, 1855, payable by vote. Between Southampton, Vigo, Oporto and Lisbon, the Admiralty with the Peninsular and Oriental Steam Navigation Company, 9th January, 1852, payable by vote. Between Southampton, Gibraltar, Malta, and Alexandria; Marseilles, Malta, and Alexandria; Suez and Bombay; Suez and Calcutta; and Bombay and China, the Admiralty with the Peninsular and Oriental Steam Navigation Company, payable, 168,089*l.* imperial fund, 42,711*l.* Indian: total, 210,800*l.* Between Suez, Mauritius, and Australia, the Admiralty with the same company, payable, imperial, 90,000*l.*; colonial, Australian, 90,000*l.*; Mauritius, 24,000*l.*: total, 204,000*l.* Between Malta and Corfu, the Admiralty with the same company, 6th May, 1859, payable by vote. Between Halifax, Boston, and New York; New York and Nassau, the Admiralty with Sir S. Cunard, payable by vote. Between Halifax, Bermuda, and St. Thomas; Halifax and Newfoundland, the Admiralty with Sir S. Cunard, 11th July, 1854, payable by vote. Between West Indies, Gulf of Mexico, and Brazils, the Admiralty with Royal Mail Steam Packet Company, payable by vote. Between Dover, Calais, and Ostend, the Admiralty with Mr. J. G. Churchward, 26th April, 1859, payable by vote. Channel Islands, the Admiralty with the South Western Railway Company, 1st July, 1848, payable by vote. Pacific, the Admiralty with the Pacific Steam Navigation Company, payable by vote. Orkney Islands, the Admiralty with Mr. John Stanger, 27th August, 1855, payable by vote. West Coast of Africa, the Admiralty with African Steam-ship Company, 7th July, 1858, payable by vote. Between Cape of Good Hope and Ascension, the Admiralty with Union Steam-ship Company, 12th September, 1857, payable by vote. Between Australia and New Zealand, the Admiralty with Messrs. Pearson, Coleman, and Co., 28th May, 1858, payable with imperial fund, 14,000*l.*; colonial, 10,000*l.*: total, 24,000*l.* Between Galway, Boston, and New York, the Admiralty with Atlantic Royal Mail Steam Navigation Company, 21st April, 1859, payable with imperial funds by vote of Parliament.

PUBLIC GENERAL STATUTES.

20 & 24 VICTORIA, 1860.

SERIES D.—RAILWAY, SHIPPING, AND POSTAL
COMMUNICATION.

UNITED KINGDOM.

PACKET SERVICE. TRANSFER OF CONTRACTS.

CAP. VI.—*An Act to transfer to the Postmaster-General Securities entered into with the Commissioners of the Admiralty in relation to the Packet Service.* (23rd March, 1860.)

The powers of the Commissioners of the Admiralty under contracts in relation to the packet service were transferred to the Postmaster-General.

GREAT BRITAIN AND IRELAND.

RAILWAY. CHEAP TRAINS.

CAP. XLI.—*An Act to make perpetual an Act of the 21st and 22nd years of her present Majesty, to amend the Law relating to Cheap Trains, and to restrain the exercise of certain Powers by Canal Companies, being also Railway Companies.* (23rd July, 1860.)

GREAT BRITAIN.

TURNPIKE ACTS CONTINUANCE.

CAP. LXXIII.—*An Act to continue certain Turnpike Acts in Great Britain, and to extend the Provisions of the Act of the 14th and 15th years of her present Majesty, cap. 38.* (6th August, 1860.)

ENGLAND.

HIGHWAY RATES.

CAP. LXVII.—*An Act to continue an Act for authorizing the application of Highway Rates to Turnpike Roads.* (6th August, 1860.)

The 4th and 5th Victoria, c. 59, to continue in force till the 1st of October, 1865.

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HIGHWAYS.

CAP. LXVIII.—*An Act for the better management and control of the Highways in South Wales.* (6th August, 1860.)

TURNPIKE TRUSTS.

CAP. LXX.—*An Act to confirm certain provisional Orders made under an Act of the 15th year of her present Majesty to facilitate arrangements for the relief of Turnpike Trusts.* (6th August, 1860.)

HARBOURS IN THE ISLE OF MAN.

CAP. LVI.—*An Act to make further provision for improvements in the Harbours of the Isle of Man.* (6th August, 1860.)

SCOTLAND.

ANSTRUTHER UNION HARBOUR.

CAP. XXXIX.—*An Act for the construction of a new Harbour, and the improvement of the existing Harbour at Anstruther Easter, in the County of Fife.* (23rd July, 1860.)

FISHING FOR TROUT.

CAP. XLV.—*An Act to extend the Act of the 8th and 9th years of Victoria, cap. 26, for preventing fishing for Trout or other fresh water Fish by Nets in the Rivers and Waters in Scotland.* (23rd July, 1860.)

Fishing for trout, &c., by means of nets, or rod-fishing, or cross-line fishing, or set lines, or other fishing, or burning the water, or by striking the fish with any instrument, or by pointing, or putting into the water lime or other substance destructive to trout or other fresh water fish, in any river, water, or loch in Scotland prohibited. Penalty not exceeding 5*l.* for every offence. Trespassing upon any ground or river with intent to take any trout or fish also subject to a penalty of 5*l.* for every such offence.

CALEDONIAN AND CRINAN CANALS.

CAP. XLVI.—*An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the Caledonian and Crinan Canals.* (23rd July, 1860.)

LEITH HARBOUR.

CAP. XLVIII.—*An Act to provide for the settlement and discharge of the debt due to the Commissioners of Her Majesty's Treasury from the Harbour and Docks of Leith.* (23rd July, 1860.)

IRELAND.

RAILWAY ACT.

CAP. XCVII.—*An Act for amending and making perpetual the Railway Act (Ireland), 1851.* (13th August, 1860.)

After the deposit of draft award the company may, upon, deposit of such amount as the arbitrator may think fit, enter on the lands. The deposit to remain as a security, and to be applied under the direction of the Court of Chancery.

TRAMWAY.

CAP. CLII.—*An Act to facilitate internal communication in Ireland by means of Tramroads or Tramways.* (28th August, 1860.)

Any person intending to apply for authority to make a tramway must publish notice by advertisement of the same. The promoters must deposit with the secretary of the grand jury of any county within which the tramway is proposed to be made—1. A copy of the advertisement published by them; 2. A published map to a scale of not less than a quarter of an inch to a mile, with the line of the proposed tramway delineated thereon, so as to show its general course and direction; and 3. A plan, book of reference, and section, prepared according to regulations. The promoters must give to the owners or reputed owners, lessees or reputed lessees, and occupiers of all lands which the promoters intend to apply for power to take, notice of their intention; and also deposit a memorial of the promoters to the Lord Lieutenant in Council, praying for an order in council authorizing the making of the tramway, with a draft of the proposed order, an estimate of the expense of the undertaking, and lists of the owners and others to whom the promoters have given such notice as is herein before required, and with the county surveyor a duplicate of each of the same documents. A preliminary inquiry is then to be instituted by the grand jury at the Summer Assizes, and on definitive approval the Lord Lieutenant in Council may make an order. Such an order must prescribe the amount of capital to be invested, and may empower the company to borrow.

EDUCATION COMMISSION.

Report of the Commissioners appointed to inquire into the present state of popular Education in England, and to consider and report what measures, if any, are required for the extension of sound and cheap Elementary Instruction to all classes of the people.

THE Commissioners were—His Grace the Duke of Newcastle; Sir John Taylor Coleridge, Knight, G.C.; Rev. William Charles Lake, M.A.; Rev. William Rogers, M.A.; Goldwin Smith, Esq., M.A., Regius Professor of Modern History in the University of Oxford; Nassau William Senior, Esq., M.A., and Edward Miall, Esq. The Commission was issued on the 30th June, 1858, and on the 18th of March, 1861, they reported as follows:—

CHAP. I.—INSTITUTIONS FOR THE EDUCATION OF THE INDEPENDENT POOR.

It is only within comparatively modern times that the importance of providing elementary instruction for all classes of the population has been recognized. In the early periods of our history, the only education which the poor, as a general rule, received was, instruction in the art—agricultural or mechanical—by which they were in after-life to earn their living. This rule, however, was modified by important exceptions. From the very earliest times schools were established for the purpose of giving instruction to poor children. In these foundations they were often provided with food and clothing, besides gratuitous instruction, and were occasionally supplied by exhibitions with the means of support at one of the universities. Before the Reformation these schools were in many cases connected with monasteries. Such as were founded after the Reformation were, for the most part, independent bodies; but the general character of the objects which the founders proposed to themselves was the same—that of giving special advantages to poor children who were either distinguished for special aptitude, or were the natives of particular districts, or related to the founders. Many of these schools still exist in different parts of the country, and constitute one large class of institutions intended for the education of the children of the independent poor.

During the last century, the beneficial effects of education, even upon those who were destined to pass their lives in the humblest social positions, began to be more generally recognized; and various bodies made some efforts towards the establishment of schools for the poor; but these efforts were isolated and produced very slight results. Towards the end of the century, Mr. Raikes, of Gloucester, first established Sunday schools, in which poor children were taught to read, and these schools, which attained great popularity, were, for a considerable time, the principal means of affording general elementary instruction to the class for which they were intended.

At the beginning of the present century, the first efforts were made for establishing a general system of popular education. They resulted in the foundation of the British and Foreign School Society, and the National Society, by which a considerable number of elementary schools were established between 1808 and 1839. In 1832 the Government began to take

part in the promotion of education. In 1839, and afterwards in 1846, it extended its operations, and it has continued to do so upon an increasing scale to the present day.

We will first give an account of the central institutions for promoting the education of the poor, and then proceed to give an account of the elementary schools.

§ 1.—*Central Institutions, including the Education Committee of the Privy Council.*

There are many voluntary institutions of this kind, the most important of which are those connected with the principal religious denominations. They are the National Society for the Education of the Poor in the principles of the Established Church (this society is incorporated by Royal charter); the British and Foreign School Society; the United Committees of Privileges and Education of the Wesleyan Conference; the Roman Catholic Poor School Committee; the Congregational Board, which is connected with the Independents; and the Voluntary School Association, constituted on a non-sectarian basis (these two are opposed on principle to State aid of, or interference with, education); and the London Committee of the British Jews.

The general object of these societies is the same, namely, the promotion of local efforts for the establishment and maintenance of schools, by grants of money, by training teachers, by providing school-books and apparatus at a cheap rate, by inspecting and organizing schools, and by forming centres of communication for those who are interested in these and similar undertakings. The degree in which the different societies contributed during the year 1859, by some or by all of these means, to the object in view, is as follows:—The National Society, founded in 1811, contributed 12,905*l.*; the British and Foreign School Society, founded in 1808, contributed 11,277*l.* 10*s.*; the Catholic Poor School Committee, founded in 1847, contributed 4,227*l.* 15*s.*; the Wesleyan Education Committee, founded in 1840, contributed 3,653*l.*; the Home and Colonial School Society, founded in 1836, contributed 8,776*l.* 9*s.*; the Church Education Society, founded in 1853, contributed 1,782*l.*; the Congregational Board of Education, founded in 1843, contributed 1,977*l.*; the London Ragged School Society, founded in 1844, contributed 5,142*l.*; the Voluntary School Association had furnished no return.

The total amount which these societies raised for purposes connected with education in the year 1859, and the aggregate amount which they have expended since their foundation, appears from the following table:—The National Society raised for education in 1859, 15,811*l.*, and expended in behalf of education since the foundation of the board or society, 724,599*l.* 6*s.*; the British and Foreign School Society raised, 1859, 15,947*l.* 12*s.* 7*d.*; expended, 156,663*l.* 19*s.* 10*d.* The Catholic Poor School Committee raised, in 1859, 4,745*l.* 12*s.*; expended, 71,756*l.* The Wesleyan Education Committee raised, in 1859, 4,441*l.*; expended, 88,460*l.* The Home and Colonial School Society raised, in 1859, 8,776*l.* 8*s.* 10*d.*; expended, 116,279*l.* The Church Education Society raised, in 1859, 2,761*l.* 4*s.* 7*d.*; expended, 10,071*l.* 16*s.* 9*d.* The Congregational Board of Education raised, in 1859, 1,977*l.*; expended 173,677*l.* The London Ragged School Union raised, in 1859, 5,142*l.*; expended 58,325*l.*

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Besides these societies, there are, in connection with the Church of England, diocesan boards of education. These bodies are committees for the promotion of education in the dioceses in which they are situated. They are, for the most part, presided over by the bishops. Many of them superintend training schools for the education of teachers, and they derive incomes from voluntary subscriptions, which are spent partly in grants for building and repairing schools, partly in providing exhibitions for students at training colleges, partly in grants for books and apparatus, and, in some cases, in defraying the cost of organizing schools, by means of the National Society's "organizing masters," of whose salaries, during the time they employ such masters, they pay one half. They are independent of each other, but are in union with the National Society. They have no authority, except in so far as they are the trustees or owners of training colleges. They are, however, numerous, and their number is on the increase. In some districts there are local boards, connected with the Church of England, which contribute to the expenses of students at the training colleges.

Besides the diocesan boards of education, there is in many parts of England a system of diocesan inspection. The diocesan inspectors are clergymen, frequently rural deans, and are appointed inspectors by the bishops. Their office is almost always gratuitous and honorary, and their duty is to inspect such schools connected with the Church of England, as may be willing to receive their visits.

One of the main purposes of cathedral institutions, as appears from their charters and statutes, was to promote religious education, which they did by means of schools for the choristers, grammar schools, with exhibitions, in some instances, for the scholars at the universities, and by the consignment of the school, in some cases, to the special care of one of the canons residentiary, who was to be its guardian, in other cases to that of the sub-dean. The Cathedral Commission (1855) received memorials recommending provision for diocesan inspection of schools in connection with cathedrals. The Commissioners recommend that, where it is practicable, one of the canons be assistant to the bishop in the work of diocesan education. Their reason for so limited a compliance with the desire of the memorialists is "that considering the reduced numbers of the canons residentiary, and the important duties which, in compliance with the injunctions of the charters and statutes of the capitular bodies and with the laws of the land, they are already, or may be, required to perform in connection with the cathedral, the city, and the diocese, they could not, consistently with other duties, discharge efficiently the important and laborious functions of diocesan inspectors."

Of the societies for the promotion of popular education, the two oldest and largest (the National Society and the British and Foreign School Society) were founded many years before any assistance was afforded out of the public revenue. Most of the others were established subsequently. It may thus be said that the result of the unassisted efforts of private benevolence, up to the year 1832, towards the provision of a system of national education, was the establishment of the National Society and British and Foreign School Society, together with a considerable number of week-day and Sunday schools, of which the former were, for the most part, connected with one or the other of them. The subject, however, had, from many causes, attracted great attention, and the propriety of establishing some

general system, to be supported for the benefit and at the expense of the nation at large, had been repeatedly discussed. The great practical obstacle in the way of such a proposal was the difficulty of settling the relations between the system to be established and the various forms of religious belief prevailing in the country. This difficulty was found to be so great, that for many years no conclusion at all could be arrived at. In order, however, that something might be done, a sum of 20,000*l.* was voted annually from 1832 to 1839, which was administered by the Treasury, and was by them expended in grants to assist in the erection of school buildings. Applications for these grants were made through the National and British and Foreign School Societies, which were considered to represent the views of that part of the public which took an interest in popular education.

In 1839 the grant was increased from 20,000*l.* to 30,000*l.*, and its administration was assigned to a special department of the Government; a committee of the Privy Council being appointed for the purpose of discharging that function. From 1839 to the present time the system of annual grants has continued, and their amount has been increased from 30,000*l.* to about 800,000*l.* This arrangement has never been recognized as ultimate or permanent, but has grown up as a sort of compromise between the admitted necessity of promoting popular education and the difficulty of devising any general system for that purpose which would be accepted by the country. The merits and defects of the system are discussed in another part of this report. The system itself is described in full detail in the codified minutes annually published. We confine ourselves in this place to such a general outline of its growth and present extent as may make the part taken by the Government in national education intelligible.

The general nature of the administration of the Privy Council grants may be most easily understood by viewing the Committee of Council for Education in the light of a society, like the National or British and Foreign School Society, assisting local efforts to promote education, without reference to the religious denominations by which they may be made, but supported by general taxation instead of voluntary contributions. The sphere of the operations of the committee has been greatly enlarged since its first establishment, and the objects which it contemplates have been multiplied in number, but the principles of its administration have remained unchanged.

The earliest deliberations of the committee resulted in the adoption of a resolution that the most efficient means of promoting popular education would be "the establishment of a normal school, under the direction of the State, and not placed under the management of a voluntary society;" but so much difficulty was experienced in providing for the religious constitution of the school, that this design was laid aside, and was never resumed. Indeed, for some years after the establishment of the committee, they employed the sums voted by Parliament almost exclusively in making grants for the erection of school buildings, and in assisting the erection or the maintenance of normal schools by voluntary societies. During these early years, however, much information as to the state of popular education was collected, through the agency of inspectors, who reported not only as at present on the administration of the grant, but also on the general condition of particular districts in respect of education. The most important fact which the inquiries of these officers ascertained was the neces-

sity of providing a properly instructed class of teachers. They reported that the teachers who were then in charge of the schools were almost entirely untrained, and utterly incompetent. With the trained teachers the case was but little better, as their training was, for the most part, short, slight, and unsystematic.

In the meantime the secretary of the committee, Mr., now Sir J. K. Shuttleworth, had inquired into the plans adopted in foreign countries, and especially in Holland, France, and Switzerland, for securing a proper supply of teachers for elementary schools. The result of his investigations, and of the inspectors' reports, was the establishment, in the year 1846, of what is known as the pupil-teacher system. This system was intended to serve the double purpose of improving the instruction given in the elementary schools, and of providing a succession of pupils for the training colleges. The principle of it was, that if private individuals would provide a school of a certain degree of efficiency, the Government would pay for five years the salary of a certain number of apprentices to the schoolmaster, and would ultimately provide them (upon the condition of passing an examination) with an amount of help which was nearly equivalent to a free admission to any training college which they might select.

As the complement to this system, liberal grants were made towards the erection and maintenance of training colleges belonging to voluntary societies, and in many instances connected with diocesan boards of education. The amount of these grants, and the conditions upon which they were offered, underwent considerable modifications from time to time. Some years passed before the supply of pupil-teachers who had completed their apprenticeship, and the vacancies in the training colleges, were adjusted to one another; but the result has been that the Government supplies all deserving pupil-teachers who are desirous of becoming principal teachers with free admissions (under the name of Queen's Scholarships) to such training colleges as they select; whilst it contributes about 75 per cent. of the whole expense to the support of thirty-five of those institutions. The committee of council consider this number sufficient to supply the whole of England and Wales with trained teachers, and to fill up the vacancies which may be produced amongst them by death or retirement.

The committee, however, do not confine themselves to providing a class of trained teachers for the elementary schools. They also contribute largely to their salaries, which are augmented by grants, the amount of which depends on efficiency tested by examinations. These grants vary from 10*l.* to 30*l.* a year in the case of masters, and from 6*l.* 13*s.* 4*d.* to 20*l.* in the case of mistresses; salaries at least double the amount of the grant being in all cases required to be paid by the managers of the school.

Such have been the measures of the committee of council in connection with the training and the salaries of teachers and the establishment of training colleges. They form the largest and the most important branch of their operations, and embody in their present form the modifications required by the altered circumstances, or suggested by the experience of fourteen years.

Next in importance to the grants connected with teachers are the grants for the erection of schools. The whole of the treasury grants made between 1832 and 1839 were devoted to this object, and it has continued ever since to form one of the most important departments of the administration of the grant. The amount granted has always been made to bear a

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certain proportion to the amount locally subscribed; but several changes have been made at different times in this proportion. The rate up to 1853 was 2s. 6d. per square foot of a teacher's house of proper dimensions was included in the building, and 1s. 8d. if not. This was afterwards raised to one half of the expense, so long as the grant did not exceed 6s. a square foot, or 4s. if the plans did not include a teacher's house. In 1859 the rate was reduced to 4s. per square foot, and 100l. for a teacher's house, but no more than 40s. per child was to be granted; and at present, by a minute of January 21, 1860, the grant is not to exceed either the amount locally raised, or 2s. 6d. per square foot, or 25s. per child, or 65l. for a teacher's house.

Besides the grants for the training of teachers and for the erection of school buildings, a third set of grants, called capitation grants, have been made since 1853. The origin of these grants was as follows:—The scheme of annual grants administered by the committee of council had never been regarded as permanent or final, and other schemes aiming at that character were brought from time to time before Parliament. In 1853 a scheme was prepared for effecting this object, by dividing the population of the country into two classes, one of which was to consist of the large towns, the other of the rural districts. The education of the towns was to be provided for by local rates assessed and distributed by the towns themselves. The rural districts were to be provided for by grants from the general revenue of the country, administered by the committee of council, and dependent as to amount upon the number of children in actual attendance in each school. That part of the scheme which related to the towns could be carried out by an Act of Parliament only, but that which related to the rural districts could be effected to some extent by a minute of the committee of council. Parliament rejected the bill for enabling the towns to rate themselves; but the committee of council adopted the minute for paying capitation money to the rural districts. The principle of this payment is, that a certain sum, to be applied to any of the purposes of the school at the discretion of the managers, is paid on account of every child who has attended that school 176 days in the course of the year preceding the grant. This payment was at first confined to schools under certificated teachers, in places of which the population was under 5,000, and which were not corporate towns. As the measure which was designed to complete this was rejected by Parliament, the restriction became unmeaning, and was shortly afterwards removed, the new payment being made to all schools under certificated and registered teachers, which fulfil certain other conditions, without reference to locality. About this time the great want of proper buildings and trained teachers which formerly existed being partially supplied, the attention of persons interested in education was directed to the shortness and irregularity of the attendance of the scholars, and as the capitation grant had a tendency to check this, the anomalous character of its origin came to be overlooked, and it became an established part of the system, serving as a premium on regularity of attendance.

Besides these three large items of expenditure, the committee of council make grants for the purchase of books and apparatus, and afford a certain degree of aid to the education of the children of vagrants and to that of other children who cannot properly be allowed to associate with the families of respectable parents. In the education of paupers, the committee of council takes no part, except by supplying inspection and

certifying teachers; nor is it concerned with education in prisons and reformatories.

The most comprehensive, and at the same time the shortest and the simplest view of the operations of the committee of council is to be derived from the following table, showing the objects to which the sums voted by Parliament have been applied from 1839 to 31st December, 1859:—

	£	s.	d.
In building, enlarging, repairing, and furnishing Elementary Schools ...	1,047,648	17	8½
In building, enlarging, repairing, and furnishing Normal or Training Colleges ...	172,303	6	5
In providing Books, Maps, and Diagrams ...	36,674	4	8½
In providing Scientific Apparatus ...	4,391	17	6
In augmenting Salaries of Certificated Schoolmasters and Schoolmistresses	435,854	5	1
In paying Salaries of Assistant Teachers (<i>Minute, July, 1852</i>)...	30,015	10	11
In paying Salaries of Probationary Teachers (<i>Minute, July, 1858</i>) ...	448	15	0
In paying Stipends of Pupil-Teachers and Gratuities for their Special Instruction ...	1,487,705	13	2
In Capitation Grants ...	186,230	14	0
In Grants to Night Schools ...	2,916	9	0
In Grants for teaching Drawing ...	1,109	0	0
In Annual Grants to Training Colleges ...	417,953	5	10½
In Grants to Reformatory and Industrial Schools ...	75,469	11	2
Pensions... ..	2,923	1	8
Inspection	355,807	10	0½
Administration (<i>Office in London</i>)	102,128	19	10½
Poundage on Post-Office Orders	11,884	9	6
Agency for Grants of Books, Maps, and Diagrams	6,717	12	4
	£4,378,183	4	9½

Of this sum upwards of 4,000,000*l.* has been laid out in the erection of school buildings, the education of teachers, capitation grants and expenses of administration.

	£	s.	d.
In Building Grants	1,047,648	17	8½
In training Teachers	2,544,280	16	5½
Capitation	186,230	14	0
Administration (including Inspection)	457,936	9	11
	£4,236,096	18	1

The result of this examination of the central institutions for the promotion of popular education in England appears to be, that the principle which is the distinguishing characteristic of the system of administration carried on by the committee of council—that of assisting individual local efforts, and of making them a condition precedent to the contribution of money collected by taxation—was neither selected by the authors of that system nor invented by them. It is the principle which has been acted upon from the very earliest efforts made for the diffusion of popular education down to the present time. The committee of council could adopt no other in the face of the differences of opinion which prevailed in the community as to the subject-matter of education, and as to the persons to whom its management ought to be entrusted. Most of the existing public schools for elementary instruction in the country have come into existence under this system. They are all private property, and a large proportion of the best of them are provided by foundation deeds with constitutions which connect them closely with various religious denominations. These considerations have an important bearing, as will be pointed out hereafter, on the principles of the recommendations which we have felt it our duty to make.

The Committee of Council for Education is one of the standing committees of the Privy Council. The lord president of the council is *ex officio* the president of all its committees, and of the committee for education amongst others. A vice-president of the Committee of Council on Education, who must be a member of the Privy Council, assists the lord president, and acts for him in his absence. Several other members of the Privy Council taken from the principal ministers of the Crown are also members of the committee, and, like the president and vice-president, change with the Ministry.

The permanent establishment consists as follows:—

The vice-president has the maximum salary of 2,000*l.*; the secretary has also the maximum salary of 1,500*l.*; two assistant-secretaries have salaries commencing at 700*l.*, rising 50*l.* per annum till 1,000*l.*; ten examiners have salaries commencing at 300*l.*, rising 20*l.* per annum till 600*l.*; two clerks on old foundation (the old foundation has reference to certain arrangements, made in the infancy of the present system, between that part of the council office establishment which managed the business of the education grants and that which managed the ordinary business of the Privy Council), have a salary of 110*l.*, rising 15*l.* per annum till 300*l.*; forty-seven assistant-clerks—one of 1st class with a salary commencing at 250*l.*, and rising at 10*l.* per annum till 300*l.*, ten of 2nd class with a salary commencing at 150*l.*, and rising 10*l.* per annum till 250*l.*, thirty-six of 3rd class with a salary commencing at 100*l.*, and rising 5*l.* per annum till 150*l.*; an architect with a salary of 400*l.*; a counsel with a salary of 300*l.*

§ 2.—*Classification of Schools.*

The schools in which the children of the independent poor receive their education will be classified with reference to—1. Their Objects. 2. Their Constitution. 3. Their Finances. 4. Their Number and the Number of the Scholars.

SCHOOLS CLASSIFIED IN REFERENCE TO THEIR OBJECTS.—Viewed in relation to their objects, the schools for the children of the independent poor may be classified as being either infant schools or schools for children above infancy, day schools or evening schools, week-day schools, or Sunday schools.

The general nature of the functions discharged by these different classes of schools is as follows:—

Infant Schools.—Infant schools receive children from the very earliest age at which they are able to walk alone and to speak up to the age of seven. They discharge, in fact, the functions of public nurseries towards very young children; whilst to those who are a little advanced beyond the helplessness of the first stage of infancy they impart the sort of instruction which in the wealthier classes of society is conveyed almost imperceptibly by constant intercourse with educated persons. In the family of a mechanic or day labourer, to say nothing of the ignorance of the parents, the father is usually at work from six in the morning till six at night. The mother has to perform personally all household operations. Stationery and books are too valuable to be made into toys. The house is not furnished with objects which awaken intelligence, nor has any one leisure to form the manners and temper of the child.

An infant school of some kind or other is thus the only means of keeping the children of such families out of the streets in towns, or out of the roads

and fields in the country. These schools are, therefore, of great utility as places of security as well as of education. They protect the children from injuries, bodily and mental, which might affect their whole future happiness, and they impart knowledge which, though apparently small in amount, is of high value, and habits of docility and submission to discipline, which are of still higher. We shall show hereafter that if two children enter an elementary school at the age of seven—one coming from a good infant school, the other uneducated—the child from the infant school will make as much progress by the age of ten as the other will by the age of twelve; a matter of great and increasing importance when the age of withdrawal from school is growing earlier.

Infant schools fall into two well-marked classes. The private or dames' schools, and the public infant schools, which frequently form a department of an ordinary day school. Dames' schools are very common both in the country and in towns. They are frequently little more than nurseries, in which the nurse collects the children of many families into her own house instead of attending upon the children of some one family. The general character of these schools is the same in every part of the country. Women are always the teachers. They are generally advanced in life, and their school is usually their kitchen, sitting and bed room, and the scene of all their domestic occupations. In remote villages, where there are not children enough to support an infant school, or in towns where the distance of such schools from the residents of the parents makes it dangerous for the children to resort to them, such establishments are useful; but there can be no doubt that, in many cases, the continued existence of such schools indicates great deficiency in the supply of a very important branch of popular education. The dames' schools are apt to be close, crowded, and dirty. "The usual scene of these schools," says Mr. Winder, in reference to Rochdale, "is a cottage kitchen, in which the mistress divides her time between her pupils and her domestic duties. The children sit round the room, often so thickly stowed as to occupy every available corner, and spend the greater part of their time in knitting and sowing. At intervals the mistress calls them up, one or two at a time, and teaches the alphabet and easy words, the highest proficiency attained being the power of reading a little in the New Testament." In Plymouth and Devonport the account given of such schools is even less satisfactory. One of Mr. Cumin's informants says, "The dames most commonly have only one room for every purpose, and their scholars may often be seen sitting round the sides of a four-post bed on low forms, the sides of the bed forming a back to the seat; sometimes on the sides of the bed. When the children are present the atmosphere is always oppressive to me, and often, if I stay in it for ten minutes without opening the window, it makes me sick. The room," adds Mr. Cumin, from his own observation, "is often so small that the children cannot stand in a semicircle round the teacher. Indeed, I have seen the children as closely packed as birds in a nest, and tumbling over each other like puppies in a kennel." In one of these schools Mr. Foster saw at dinner, in the midst of the children, a collier (the mistress's husband) and two lodgers, fresh from the pit, who, after their meal, would, in all probability, proceed to undress and wash themselves in the same place.

Public infant schools present a different appearance. Great attention has been bestowed upon their organization. They not only aim at, but in fact accomplish, a great deal more than the simple object of keeping children

out of mischief. In a report on the British and Foreign Infant Schools, published by the committee of council in 1845, the late Mr. Fletcher gave an elaborate account of the principles upon which such schools are conducted, and these principles are substantially common to all public infant schools. The substance of Mr. Fletcher's account is that the children are divided into two classes, according to their age. Those in the younger class are taught by a series of contrivances to talk, and to look at pictures, with intelligence, and also to go through a variety of simple movements in marching and changing stations at brief intervals. They are also taught their letters, and exercised in forming elementary syllables. As they grow out of the very earliest stage of infancy they pass into the higher division, and there they receive, according to their capacity, somewhat more varied instruction. The teacher tells them stories about the animals and other objects represented in the pictures, and about persons and events mentioned in the Bible. They are also exercised in plaiting, tying knots, sewing, and other occupations which employ their hands, and they are instructed in the elementary rules of arithmetic principally by means of physical illustrations of them, such as are afforded by frames containing balls strung upon wires, or by throwing into one, or dividing into two or more parts, several groups of children.

It requires not only special taste for the occupation, but tact, patience, and ingenuity, to enlist the attention and sympathy of a large number of very young children. "The real education of the children," says Mr. Fletcher, "is carried on, for the most part, in the direct intercourse with the teacher; the children seated on the gallery, and the teacher standing before them, and constantly 'performing,' as it were, in such manner, and with such varieties of position, attitude, tone, gesture, method, and bearing, as shall best warm their minds to the reception of the new truths that are to be conveyed to them." In the best infant schools much is done, and even much is taught. In a recent report, Mr. Bowstead observes that, in his district there are infant schools in which the upper classes, consisting of children under seven, read a simple book, such as the New Testament, fluently and intelligently, write on a slate in a fair round hand, know many of the simple properties and relations of numbers, set down on a slate any number under 100,000 correctly from dictation, are acquainted with the main features of the earth's surface and of English geography, have definite notions of all ordinary forms, and possess and appreciable amount of information on natural history and objects of general utility. He adds, that they receive a training in obedience, attention, observation, and facility of comprehension, which distinguishes them at a glance from children who have not had the advantage of an infant school training. Mr. Cumin's evidence as to the value of infant schools was of similar character. "Several clergymen," he observes, "told me that, in coming into a new and neglected district, the first step to be taken should be the establishment of an infant school. Churches are good, and ordinary schools are good, but they only modify bad habits already contracted. Infant schools prevent bad habits being formed." He adds, from the experience of the police of Bristol and Plymouth, that since infant schools have become common, accidents to young children in the streets have greatly diminished in number. Mr. Winder reports, that the schoolmasters almost universally say that the children from infant schools make much better scholars than those from dames' schools; and he adds, that it is by no means difficult to

recognize them when mixed in a class with others, and that they exhibit a marked superiority, both in intelligence and in manner.

Mr. Shields, a schoolmaster of experience in London, who was examined before us, gave it as his opinion that the improvement and extension of infant schools was the way in which the extension of popular education must next be attempted, and he also thought that the quality of the schools depends principally on the care with which the teachers are trained. By careful management of the infant schools he thought that children might be so prepared for the day schools as to learn thoroughly well all the absolute essentials of education by eleven years of age, but he said "if you leave out the infant school you wreck my plan entirely." In his judgment a child ought to be able to read, write, and cipher fairly, applying the four rules, and understanding their principles, on leaving a good infant school at the age of seven.

It appears to follow, from this evidence, that infant schools form a most important part of the machinery required for a national system of education, inasmuch as they lay the foundation, in some degree, of knowledge, and in a still greater degree, of habits which are essential to education, while without them a child may contract habits and sustain injuries which the best school will afterwards be unable to correct and remedy.

To keep at school a boy who might be earning wages, or a girl who might help her mother in household work, must always be a sacrifice; but children under seven can earn little or nothing, and the presence of several of them in a small room required for a variety of other purposes is a considerable inconvenience. Infant schools, therefore, are free from competition with the employers of labour and with the requirements of the family. Infant schools are also comparatively cheap, as they are usually taught by mistresses. Lastly, it may be observed that the difficulties produced by differences of religious belief can hardly arise in respect of such infant schools as form independent establishments. It is scarcely conceivable that the instruction of children under seven years of age should ever be dogmatic. The power of understanding the peculiarities of doctrine which separate churches and sects is not developed till a much later period.

On the other hand, there are difficulties which impede the establishment of infant schools, especially in rural districts. A village can seldom support two schools, even if they are placed in the same building. The value of infant schools depends almost exclusively on the tact, patience, sympathy, and ingenuity of the teacher, and the employment is one which requires good and even spirits. It is difficult to obtain these qualifications, and, as we shall show hereafter, there are few institutions in which infant schoolmistresses are trained. Very young children cannot attend any school which is not near their own homes; and where the population is much scattered, this circumstance alone may prevent the establishment of an infant school, as there may not be children enough for the purpose within the limits of attendance. Practically, therefore, it is difficult in rural districts to avoid either leaving infants, as at present, in the dames' schools, or placing them by themselves as the youngest class in the village school. The latter course will become more practicable if, as we shall suggest, every schoolmistress should undergo a course of training in the training college to adapt her to deal with infants.

Day Schools for Children above Infancy.—The great bulk of the education of the children of the independent poor is received at day schools. These

schools are either private or public. The private day schools are kept entirely for profit, and their character and arrangements depend entirely upon their respective proprietors. Their character will accordingly be considered in the next chapter, under the general head of teachers. The public day schools are now the most important part of the provision made for the education of the children of the independent poor. They have been established by persons who derive no personal advantage from them, and who are actuated in their foundation by charitable and religious motives. They are almost universally religious in their character, and are to a great extent under the influence and care of ministers of religion of various denominations. The British and Foreign School Society was founded upon the principle of avoiding the teaching of doctrines peculiar to any particular denomination, but it is a fundamental rule of that society that instruction be given in the Scriptures, and the Committee have expressly announced that the rule excluding the teaching of "catechisms and peculiar religious tenets," "was never intended to exclude, and never had practically impeded the teaching of any of the great leading fundamental doctrines of the everlasting Gospel, in the plain, simple, and intelligible language of Holy Scripture."

Though the public day schools have contributed more than any other cause to the diffusion of secular knowledge amongst the poor, this has seldom been the sole or even the leading object of those who were chiefly instrumental in founding and supporting them. Their leading object has been the improvement of the poorer classes in a moral, and, above all, in a religious point of view. The general principle upon which almost every one who for the last half century has endeavoured to promote popular education has proceeded, has been that a large portion of the poorer classes of the population were in a condition injurious to their own interests, and dangerous and discreditable to the rest of the community; that it was the duty and the interest of the nation at large to raise them to a higher level, and that religious education was the most powerful instrument for the promotion of this object. The parents, on the other hand, cannot be expected to entertain the same view of the moral and social condition of their own class, or to have its general elevation in view. They act individually for the advantage of their respective children; and though they wish them to be imbued with religious principles, and taught to behave well, they perhaps attach a higher importance than the promoters and managers of schools to the specific knowledge which will be profitable to the child in life. It is of some importance in estimating the conduct of the parents to keep this difference of sentiment in view.

There is no doubt that the managers, whether members of the Church of England or Dissenters, attach great importance to the education of the children over whose parents they have influence, in the religious creed which they themselves profess; but this feeling does not appear to exist in such strength in the parents themselves. Their selection of schools, in so far as it is affected by the character of the instruction, seems rather to be determined more by the efficiency with which such things as tend to the advancement in life of their children are taught in it, and by its general tone and discipline.

The evidence upon this head is conclusive. Of the ten assistant commissioners whom we appointed, two were beneficed clergymen of the Church of England, five were lay members of the same denomination, two were Protestant Dissenters, and one a member of the Established Church of

Scotland. Each of these gentlemen gave, with one exception, the same evidence upon this subject.

The fact attested by the evidence is important as showing where the responsibility of a conscientious resistance to the introduction of a system of education without distinctive religious teaching lies. Yet it is easy to overrate its importance. It was to be expected that the distinctive tenets and separate interests of any religious community would be maintained by its teachers and guides, rather than by their followers, however attached to their leaders and guides the followers might be. Nor does the comparatively passive attitude of the body of the people materially diminish the practical difficulty of introducing a comprehensive system, since it is not with the body of the people, but with the founders and supporters of schools, that those who might attempt to introduce it, under the present or any probable circumstances, would have to deal.

The system upon which the schools are conducted is, upon the whole, very much the same in all parts of the country and amongst all denominations. In all schools there are pupils and teachers, and in most of the more efficient schools the teachers are assisted by apprentices of from thirteen to eighteen years of age, who take part in the instruction of the children, and themselves receive instruction from the principal teachers. In schools built with the assistance of Privy Council grants, or upon the plan introduced and recommended by the committee of council, the school usually consists of a single large room, long and narrow, with three rows of parallel desks rising above each other on one side, and divided by passages through the desks, and often by curtains, into as many divisions as there are to be classes. The master's desk is on the opposite side, so that he faces the pupils. This mode of arranging the interior of the school has been extensively adopted even amongst schools not assisted by Government; and it is the only one which is sufficiently general to require distinct notice.

The school hours are from nine to twelve and from two to four on five days of the week, Saturday being generally a holiday.

Evening Schools.—Bishop Hinds has the merit of having first publicly suggested evening schools, in a pamphlet entitled *A Letter to Mr. Senior on Supplemental Evening Schools*, printed in 1839. At that time the demand for the labour of children was less than it is now. Still it took hold of them at twelve years of age, and sometimes earlier, and the bishop's object was to furnish to those who had left school, and were at work or in service, the means of continuing their schooling for a few years longer. His proposal was, "that 500*l.* be appropriated out of the parliamentary grant to establish evening schools. That the grant be applied to the payment of a teacher's salary, to the hire of a room, and to defraying such part of the expense of fuel, lighting, stationery, and books as may not be supplied from local funds. That any persons may apply to the Privy Council on the behalf of any parish, district or town in which such school may be wanted, the applicants undertaking the office of local trustees, managers, and superintendents. That the school hours be every evening, except Sunday, and, as nearly as possible, according to the following scheme:—From five to six during February and October; from six to seven during March and September; from six to half-past seven during April, May, June, July, and August. That business be suspended during the months of November, December, and January; and that in the country districts there be another vacation during harvest. That only boys under the age of sixteen be

admitted." This proposal had the defects of a first attempt. Experience has proved that the winter months, during which Bishop Hinds proposed to close the schools, are those in which they are most frequented. It has shown, too, that it is not advisable to keep them open for six evenings a week.

But the point in which Bishop Hinds' proposal differs most from the existing practice, is the exclusion of females and adults.

In Dr. Hodgson's district, out of a total of 3,109 scholars attending evening schools, 1,267 were females; and more than a fourth of the whole were above sixteen years of age; the female adults outnumbering the males. The bishop's plan was supplemental, not substitutional. He wished to give to those who had some knowledge, the means of increasing it, or at least of keeping it up. The existing evening schools are frequented chiefly by those who have never received elementary instruction, or have forgotten it.

Under the 163rd article of the Privy Council Code, no grants (except for the purchase of books and maps in poor rural districts) can be made to evening schools unconnected with day schools. This exclusion appears to interfere materially with their extension. Even to the evening schools which are connected with day schools the aid afforded is not great. It consists of the capitation grant and of annual payments not exceeding 10*l.* or less than 5*l.*, to the teachers, if not otherwise remunerated from the grants; but a master who has the charge of pupil-teachers cannot be employed in the morning and afternoon in the day school and also in the evening school.

The main purpose effected by the present evening schools is, as we have already said, the supplying the deficiency of early education. This appears from the reports of all our assistant commissioners. Mr. Fraser found that all the night schools in his district (with a single exception) were confined to elementary subjects, writing being the favourite subject. Mr. Winder says, that "the plan of teaching is mostly individual, and its aim almost entirely confined to reading, writing, and arithmetic,—writing, on the whole, being the favourite subject." In Mr. Hare's district, about eleven-seventeenths of the pupils in evening schools appeared to have come thither for the purpose of receiving elementary instruction. Mr. Cumin's experience was of the same kind. "At Wells," he says, "I found the bishop himself teaching a class of navvies to read and cypher. I witnessed with admiration those brawny men come into the room with clean smock frocks and newly washed hands and faces, having walked a distance of more than two miles from their cottages, to pursue their studies. Every one had his reason for coming, and one of the most intelligent had the ambition of rising to be an engine driver. The fact is, as Mr. Wigham, the superintendent of locomotives at Bristol, said, these men know that some of the richest contractors have risen from being mere navvies, but that such a position is impossible to reach without a knowledge of reading, writing, and arithmetic, but especially the last, in order that they may be able to measure work. Mr. Norris, in his report for 1857, says of the evening schools in Stafford, Cheshire, and Shropshire, that the "subjects of instruction are, for the most part, quite elementary."

Instances of the zeal with which these schools are attended are given by the assistant commissioners. "In Mr. Macready's school," says Mr. Fraser, "I saw a little fellow, twelve years old, who worked twelve hours a day at

a coachmaker's, who literally shortened his dinner-hour by half an hour to get his work forward, and be able to leave the shop at half-past seven, in time for his evening school." At Lyme Regis, he adds, "I went myself and taught in the school one night for one hour and a half. It was very elementary in the character of the instruction, but the scholars were anxious to improve themselves. Among those who were there that night were two lads of eighteen or nineteen, who were going to Exeter gaol the next day, having been committed by the magistrates for some 5th of November freak with squibs or tar-barrels. The prospect did not prevent their coming to school to the last moment." At a private evening school at Bristol, says Mr. Cumin, "I had been conversing with the master for some time, which, of course, prevented his attending to his business. Presently I heard a restless humming, and even symptoms of whistling. The master said, 'Do you understand that?' I said, 'No.' He replied, 'You see these people come to work; they pay for coming here, and they don't mean to be curtailed of their rights.' He instantly went off to attend to them, and everything was silent. I myself found it difficult to get them to converse. They had come to study, and they meant to study." Mr. Winder's experience was very similar. "I was particularly struck," he says, "in the schools which I visited, with the anxiety to learn which was displayed. On one occasion I was examining a class of young men at Rochdale, when the hour for breaking up arrived. I was about to stop, when one of the scholars appealed to me as follows: 'Go thou on; we want as much as we can get for our money.' In another school at Bradford, I found a class most industriously learning reading and arithmetic at once. Each scholar had by his side a Bible and a slate; when his turn came, he read his verse, laid down his book the instant he had finished, and then went on with the sum till the circuit was again complete."

This evidence shows at once the desire of the labouring classes for instruction, and the frequent insufficiency of the knowledge acquired in the day school. Of the 12,482 scholars in 317 evening schools in the ten specimen districts, no less than 10,706, or 83·37 per cent., had attended day schools for various periods, yet almost all of them were learning to read, write, and cypher.

These schools are as yet in their infancy, but they are capable of being made to perform so important a part in national education that it is desirable to point out the peculiar difficulties with which their establishment is attended, and the manner in which they may be met.

Of these difficulties, difference in religion is not one. We have already shown that religious differences affect rather the managers than the pupils, and in these schools the pupils themselves, as they contribute largely towards the funds, take, in a great degree, the place of the managers in regulating the subjects of instruction. Nor is there the same irregularity of attendance. Children are irregular, mainly because their attendance depends on their parents, and their parents do not estimate the importance of regularity sufficiently to enforce, or even to permit it. Grown up boys and men, if they attend at all, attend regularly, so far as is in their power.

But they are subject to difficulties of their own. One is the difference of the pupils in age and attainment. They vary as to age from twelve to forty. They vary as to attainment from utter ignorance to knowledge less extensive but more precise than that of many of their superiors in rank. Mr. Wilkinson found the association of boys and adults "most prejudicial."

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Mr. Howson, speaking in the name of a local committee, containing some of the most eminent men in Liverpool, says, "It seems to be clearly made out that the mixing men and boys together always leads to disappointment." Another difficulty peculiar to evening schools is that of obtaining the services of proper masters. This difficulty does not arise from any peculiar irksomeness of their duties. On the contrary, the more advanced age, and the superiority of the scholars in diligence and in the appreciation of education, make the instruction of the evening school a more interesting task than that of the day school, and afford the master opportunities of cultivating and of employing a wider range of acquirements. The masters of the day schools would therefore, generally speaking, be glad to be able to undertake the superintendence of the evening schools if any arrangement could be made by which they could combine it with the management of the day schools.

There are two means by which this might be accomplished; either the hours of attendance in the day school might be shortened, so as to allow the day schoolmaster to give a couple of hours to the evening school for three or even four evenings in the week; or an assistant master might be engaged during the winter months, who might take the place of the principal teacher in the afternoon school, and thus give him leisure to teach in the evening school.

A further means suggested for promoting the extension and improvement of evening schools, is to place them, as respects aid from the Privy Council, more on a par with day schools. We have seen that they are not recognized by the Privy Council unless connected with day schools. This excludes the numerous evening schools connected with mechanics' institutes, literary institutions, and other societies for mutual instruction which are spreading over our manufacturing districts, and are counteracting the sensualism and vice in which the high wages of the prosperous working-classes are frequently spent.

We feel no doubt that evening schools, unconnected with day schools or with any other institutions, promoted, managed, and taught independently, are in many cases useful; and such is the opinion of Mr. Maurice, whose connection with the Working Man's College makes him a good judge. "Evening schools," he says, "and what are called evening classes for the adult population, are at present, so far as I know, the only means of encountering the great difficulty of modern English education. I think the evidence is decisive that they have been successful attempts. It does not appear that the students, young or old, in town or country, give any signs of the exhaustion which it had been supposed that those who have been engaged all day in mechanical toils must exhibit. In general they come fresh enough to their change of occupation, if their teachers are fresh. A schoolmaster who has been exhausted all day in the same occupation cannot have this freshness, and must destroy it in those whom he tries to teach. For this reason the mechanics' institutes and general lectures often appear to be of greater interest. Scientific men, men of letters, professional men, I recollect, find an interest in telling what they know to the assembly in some town hall or institute. Their names, and probably their acquaintance with the subject and their liveliness, offer a great contrast to the sleepiness of the hard-worked school teacher."

We think that the great and growing importance of evening schools entitles them to aid from the public, and we recommend that the payment

allowed to the teachers under article 159 be continued as at present, and that whenever an organizing master approved by the committee of council, is employed for a group of such schools, he shall receive a sum to be fixed by the committee of council, in lieu of certificate money. But after much consideration, we are not prepared to recommend a relaxation of the rule which confines the assistance of Government to evening schools connected with day schools.

Sunday Schools.—The general character and condition of Sunday schools vary to some extent, according to the denomination with which they are connected, and the different habits of different parts of the country; but wherever they exist, their primary object is religious instruction. Incidentally, reading is taught, or the habit of reading kept up, through their instrumentality, and in a few cases instruction is also given in writing.

In many parts of the country Sunday schools form the machinery by which different religious denominations maintain or extend their numbers, and through which, either as teachers or as scholars, the more zealous members of the denomination exert their zeal. Mr. Cumin says, speaking of Bristol and Plymouth, "To whichever Sunday school a boy or girl goes, to the sect of that Sunday school he or she belongs. . . . It is astonishing to observe the exertions which are made by contending sects to fill the Sunday schools; and in Plymouth, where there is great want of education, there are two enormous Sunday schools, one belonging to the Wesleyans, and one to the Independents, and yet not a single denominational school for boys, only one for girls, and one for infants. All sorts of persuasions are used to induce parents to send their children to particular Sunday schools. Almost all sects have their tea parties and benefit clubs, which require the attendance of the child at the Sunday school in order to derive any profit from it; whilst in some, especially the rural districts, the clergy, who have the one school, lay down the rule, which is bitterly, perhaps justly, criticized by the dissenters, that no child shall attend the week-day school unless it attends the Sunday school." In Rochdale and Bradford, "Sunday schools," says Mr. Winder, "are developed to an extraordinary degree. No other schools call out anything approaching to the zeal and general interest lavished upon them. With the dissenters, generally, they are far more popular than day schools."

In Wales the Sunday schools are an institution of a peculiar character. The position which they occupy is intermediate between that of an ordinary school and that of a place of worship. A full account of them is given both by Mr. Jenkins in his report to this commission, and by the three commissioners who undertook a special inquiry into the state of education in Wales, by the direction of the committee of council, in 1847. In their general features, these accounts agree. The origin of the Welsh Sunday schools is to be traced to the great religious movement which took place in Wales in the middle of the last century. They are composed of the congregations of the different places of worship, which meet on Sundays, not only for worship, but also for the instruction of the young, and for a systematic discussion of religious topics, which goes on concurrently with the instruction. The adult classes choose one of their number as a teacher, or rather as a sort of leader of the discussion. "The text book invariably is the Scriptures, each book being generally gone through chapter by chapter.

The verses are read in succession by each member of the class, and as each reader concludes, questions, if the passage suggests any, on the meaning, are addressed either by the teacher to the reader, or as frequently put by some member of the class to the other members. When the views of the class have been given, the teacher sums up the various opinions, and gives his own conclusions, with the reasons on which they are founded." The juvenile classes are principally occupied in learning to read, and in learning by heart passages of Scripture, hymns, and other compositions of a religious character.

So popular are the Welsh Sunday schools, and so universal is the taste for the theological discussions with which their senior classes are occupied, that they contain a very large proportion of the whole population of the country, whilst they are so widely spread that every small cluster of houses in the most remote parts of North Wales has its branch school, and the whole population may be said to be under their influence. Statistical returns were collected by Mr. Jenkins as to the county of Merioneth and the unions of Merthyr and Neath. In this district 487 Sunday schools made returns. They contained 36·65 per cent. of the whole population, or considerably more than one-third, the proportion in the union of Bala being as high as 52·7 per cent., whilst even in the populous town of Merthyr it was 19·9. The influence of these associations over the adult population is shown by the fact that the proportion of scholars above 15 years of age in the six unions was 49·18. In Bala the proportion was 73·4, and in Merthyr 35·81. Mr. Jenkins saw old men and women of from 60 to 70 years of age present in the schools.

Something like this exists also in some of the northern manufacturing towns. "Of the female scholars," says Mr. Winder, "not less than 29·88 per cent. at Rochdale, and 24·22 per cent. at Bradford, are above 15 years of age. I myself saw about 200 young women present at one time in the large school of the United Free Methodists at Rochdale. Indeed, it is quite a common thing for women to come to school after their marriage, and many teachers become scholars on the Sundays on which it is not their turn to teach."

There is a considerable conflict of opinion among those who have given us their views as to the utility of Sunday schools. Mr. Ackroyd says, "Sunday schools are of little value, except as nurseries for the particular religious sects to which they belong." He writes from Halifax. In country parishes, where there is comparatively little of denominational division and zeal, this object of Sunday schools can exist but in a slight degree, though in such parishes the Sunday school collects and prepares the children for their place of worship.

The following table, prepared from returns obtained by this commission, compares the centesimal proportion of the scholars in week-day and Sunday schools belonging to the different denominations. With the exception of the Church of England and the Roman Catholic Church, the proportion in Sunday schools preponderates in every instance. This evinces the close connection of the Sunday school with nonconformist zeal. The British schools, which contain 9·7 per cent. of the week-day scholars, have no corresponding Sunday schools:—

Description of School.	Centesimal Proportion of the Scholars educated by the respective Religious Denominations in	
	Week-day Schools.	Sunday Schools.
Church of England	76·2	45·8
British	9·7	—
Roman Catholic	5·52	1·5
Wesleyan (original connection)	3·91	19·0
Congregationalist	2·1	11·2
Baptist	·7	6·7
Unitarian	·3	·6
Jewish	·2	—
Calvinistic Methodists	·2	4·7
Society of Friends	·2	—
Presbyterians in England	·2	—
Primitive Methodists	·09	5·7
Methodist New Connection	·1	2·2
United Methodist Free Churches	·08	2·6
Undefined Presbyterians	·2	—
Other	·3	—

The total number of week-day scholars and of Sunday scholars respectively, on which the above centesimal proportions are founded, are 1,553,212 and 2,338,397.

Such are the schools for the independent poor, classified with respect to their several objects. The day schools form the most important element, occupying as they do the whole time of the scholar, and influencing the whole character. The infant schools are an introduction, and the evening schools a supplement to them; whilst the Sunday schools are devoted to religious instruction, and occasionally form centres of religious interest, and of communication for members of their respective denominations.

2. SCHOOLS CLASSIFIED IN REFERENCE TO THEIR CONSTITUTION.—The next point of view from which schools for the children of the independent poor may be considered is their constitution. We shall speak of the constitution of endowed schools in the fifth part of our report. That of private schools requires no particular mention.

The constitution of public schools varies according to the religious denomination with which they are connected. One of the first acts of the committee of council was to publish a variety of forms of trust deeds for schools; and by the minute of December, 1840, it was provided that in the conveyance of the sites of school-houses erected with aid from the parliamentary grant the trustees should avail themselves of one or other of the forms so published. They are contained in the first of the annual volumes published by the committee, and are seven in number. They provide for the management of schools in three different ways:—1. That the school shall be conducted upon the principles of, or shall be united to, the National Society, and shall be under the general management and control of the committee for the time being of the subscribers. 2. The same, with the exception that the British and Foreign is substituted for the National Society. 3. That the school shall be under the management of the parish vestry, or a committee appointed by them; that instruction shall be given in the Bible and Catechism to all children whose parents might not object to it on religious grounds; and that such instruction shall be under the superintendence and direction of the minister of the parish. The other forms were drawn to provide for Church of England schools, not being parish schools, nor in connection with the National or British and Foreign

School Society, schools similarly situated, but not connected with the Church of England; and cases in which spiritual corporations sole granted sites for the foundation of national or parish schools.

In the course of the years 1844 or 1845 a practice grew up (though there is no record of any minute or other official authority establishing it) of recommending to promoters of Church of England schools the insertion of certain clauses in the trust deeds intended to define the authority by which such schools should be governed. The ground of this practice was, that when inquiry was made into the constitution of schools requiring assistance, it appeared that "the provisions for school management in the trust deed comprised every form of negligent or discordant arrangement. Often there was no management clause; in which case the government of the school devolved on the individual trustees and their heirs, who might be non-resident, minors, lunatics, or otherwise incapable. When a management clause was inserted, there was seldom any provision for the supply of vacancies or re-election, nor any qualification for the office of manager." As this criticism applies to the forms published by the committee of council, and noticed above, it is probable that further experience as to the confusion existing on the subject induced the committee of council to take steps for its prevention.

After the practice had prevailed for more than two years, and after an alteration had been made in the form of the clauses, at the suggestion of the then Archbishop of Canterbury, a prolonged correspondence took place between the committee of council and the committee of the National Society upon the question whether the adoption of the management clauses should be a condition precedent to the receipt of aid from the parliamentary grant, and as to the precise terms in which the clauses should be expressed. The minutes bearing upon the subject are those of 28th of June, 1847, 12th of June, 1852, and of April, 1853. The two later minutes vary the terms of the clauses, but the recommendations to be made as to their adoption are determined by the minute of June, 1847, which provides that the secretary of the committee, in communicating with applicants for aid in the erection of school buildings for Church of England schools, shall recommend the adoption of Clause A in populous districts of towns in which the intelligent and wealthy inhabitants are numerous; that he shall suggest the adoption of Clause B in school districts in towns and villages in which the well-educated and wealthy classes may be less numerous, and in rural parishes having not less than 500 inhabitants, with at least three or more resident gentlemen, or intelligent yeomen, manufactures, or tradesmen; that he shall permit the adoption of Clause D in rural parishes containing fewer than 500 inhabitants, and in all school districts in which, from poverty and ignorance, the number of subscribers is limited to very few individuals, and great difficulty is experienced in providing a succession of school managers; and that he shall permit the adoption of Clause C in very small rural parishes in which the resident inhabitants are all illiterate, and indifferent to the education of the poor, in which the clergyman has given proof of his zeal for the education of his parishioners, and in which there is no prospect that he will be supported by the aid of persons willing and competent to co-operate with him in school management.

3. SCHOOLS CONSIDERED IN REFERENCE TO THEIR FINANCES.—*Expenditure*.—The expenditure of schools is classified by the committee of council under three heads:—1. Salaries to teachers; 2. Books and apparatus;

3. Miscellaneous. The last head includes all the expenses incidental to maintaining the school not included under the two others, such, for example, as fuel, lighting, repairs, servants' wages, and a great variety of other charges, which occur either occasionally or periodically.

The most important, and much the largest, of these items, is that of salaries to teachers. This appears from the following facts, constructed from returns collected by the assistant commissioners, and showing what proportion of every *l.* of income was expended in the year 1857 upon teachers' salaries, and what upon other objects, in inspected and uninspected schools of various denominations:—Church of England, inspected, spent *13s. 6½d.* in the pound in teachers, and *6s. 5½d.* in other objects; ditto, uninspected, spent *14s. 1½d.* in the pound in teachers, and *5s. 10½d.* in other objects: British, inspected, *16s. 9½d.* in the pound in teachers, and *4s. 2½d.* in other objects; ditto, uninspected, *16s. 3½d.* in the pound in teachers, and *3s. 8½d.* in other objects: denominational, inspected, *14s. 5d.* in the pound in teachers, and *5s. 7d.* in other objects; ditto, uninspected, *15s. 8½d.* in the pound in teachers, and *4s. 3½d.* in other objects: non-denominational, uninspected, *16s. 3d.* in the pound in teachers, and *3s. 8½d.* in other objects.

Very nearly the same results are given by statistics collected by the committee of council, and published in a table given at page 11 of the minutes for 1859-60. From this table it appears that in 5,089 schools the aggregate income of which was *645,254l. 12s. 5d.*, the expenditure on salaries was *458,355l. 9s. 7d.*; that on books, &c., *43,653l. 18s.*; and the miscellaneous expenditure, *143,245l. 4s. 10d.* Thus, in these schools the proportion expended in salaries was rather more than *14s.* in the pound.

It appears, therefore, that from thirteen to sixteen-twentieths of the whole expense of a school consists in paying the teacher's salary, and that in uninspected schools the teacher's salary bears a larger proportion to the whole expenditure than in inspected schools. As the average salary of a certificated teacher is, independently of his augmentation grant, higher than that of an uncertificated teacher, this difference cannot be owing to any diminution in the amount of salary produced by the Government grant, but is evidence of the fact that the uninspected schools are not so liberally supported as the others, and accordingly have less to spend on other objects than the master's salary. The capitation grant being unappropriated, and available for any purpose to which the managers choose to apply it, may to some slight extent explain this difference, but the other grants can have no effect upon it. The absolute amount of the salaries of teachers varies widely, according to the local situation of the school, the sex of the teacher, and the rank of the certificate, and, to some extent, according to the denomination with which the school is connected. These variations are given with great detail in a table, given in the Minutes for 1859-60, and inserted in the statistics printed with this report. It establishes the following amongst other particulars:—The average emoluments of a certificated master, including Government grants and all professional sources of income, taken on 3,659 cases distributed over the whole kingdom, amount to *94l. 3s. 7d.* 2,102 had, in addition, houses or house-rent provided. The highest average was *122l. 7s. 2d.*, being the average salary of masters in the schools of Protestant dissenters, in a district including London. The lowest (in England and Wales) was *78l. 9s. 1d.*, being the average for

Church of England schools in Wales. The average emoluments of 596 uncertificated masters, of whom 351 had houses or house-rent, were 62*l.* 4*s.* 11*d.*, varying from 84*l.* 8*s.* in denominational schools, in a district including the greater part of Wales and several of the Western Midland counties of England, to 43*l.* 11*s.* 0½*d.* in Church of England schools in Berks, Hants, and Wilts. The average emoluments of 1,972 certificated mistresses, of whom 1,035 had houses or house-rent, were 62*l.* 13*s.* 10*d.*, very nearly the same as those of uncertificated masters, varying from 75*l.* 14*s.* 5*d.* in Church of England schools in Middlesex, to 55*l.* 3*s.* 3*d.* in Church of England schools in Cornwall, Devon, Dorset, and Somerset. The average emoluments of 658 uncertificated mistresses, of whom 314 had house or house-rent, were 34*l.* 19*s.* 7*d.*, varying from 48*l.* 17*s.* 4*d.* in Church of England schools in Middlesex, to 25*l.* 13*s.* 1*d.* in Church of England schools in four northern counties. The average emoluments of 447 certificated infant schoolmistresses, of whom 314 had houses or rent, were 58*l.* 3*s.* 8*d.*, varying from 78*l.* 4*s.* in denominational and British schools in a district including London, to 42*l.* 10*s.* in Roman Catholic schools in 35 Welsh and English counties. The average emoluments of 526 uncertificated infant schoolmistresses, of whom 186 have houses or house-rent, are 35*l.* 2*s.*, varying from 45*l.* 4*s.* in denominational schools in a district which includes London, to 22*l.* 16*s.* 1*d.*, in Church of England schools in the Midland counties. All the schools from which these averages were taken were in receipt of annual grants. In schools visited for mere inspection, in which no annual grants were received, masters received on an average 45*l.* 12*s.*; mistresses, 28*l.* 7*s.* 9*d.*; and the mistresses of infant schools, 26*l.* 13*s.* 6*d.*

The figures prove the great popularity of the certificated teachers, and especially of the certificated mistresses. The highest payments on certificates are 30*l.* on a first-class master's certificate, and 20*l.* on that of a first-class mistress; and the average payments on certificates are 20*l.* and 13*l.* respectively, yet the difference between the average emoluments of certificated and uncertificated masters is about 32*l.*, which exceeds the highest rate of augmentation—a rate very seldom earned; whilst in the case of mistresses, it is nearly 28*l.*, which is more than double the average payments on the certificates, and exceeds, by more than a third, the highest rate ever paid.

Another form under which the expense of a school may be considered is in its relation to the number of scholars; but the formula thus obtained is useful only when it is applied to very large numbers, or when it is applied with great minuteness of detail, to the expense of different classes of schools; as the expense of a small school, efficiently conducted, is far greater, in proportion, than the expense of a large one. The income *per scholar in average daily attendance* in the ten specimen districts, comprising 971 schools, was 1*l.* 1*s.* 4*d.* by Government grants, endowments, school fees, &c., *exclusive* of the grants on account of pupil-teachers, which in 1858-59 was 221,719*l.*, or 6*s.* 2½*d.* per scholar in average attendance. The total amount of Government grants to teachers and pupil-teachers appears to be in Church of England schools 9*s.* 8½*d.* per scholar in attendance; and the total of the annual Government grants of all kinds, 11*s.* 2*d.* In the "Minutes of the Committee of Council for 1859-60," this total is stated to be 11*s.* 6*d.* per scholar in England and Wales. The full cost, therefore, of educating a scholar in Church of England schools under Government

inspection appears to be 1*l*. 8*s*. 0½*d*., exclusive of charges for rent and the cost of inspection and of central administration.

It may be remarked that, although the total sum per scholar is almost identical with the total stated by the committee of council, yet the proportions per scholar given in the columns headed "Teachers" and "Capitation Grant," are to some degree different from those which might be deduced from the tables published in the minutes for 1858-9. The difference may probably be explained by the fact that those tables include the attendance in schools in Scotland, as well as in those in the whole of England and Wales.

II. Income.—The income of schools is derived from five different sources: (1) the Government grant, (2) school fees paid by the parents of the children, (3) subscriptions, (4) endowments, and (5) other sources, such as collections in churches and chapels, and occasional gifts. The following table, constructed from the returns obtained by the assistant commissioners, shows the proportion in which each of these sources contributes to the income of schools of the different classes comprising most of the public schools of the country:—

Every 1*l*. of income, exclusive of the grants on account of pupil-teachers, arises from the following sources:—

Class of School.	Government Grant.	School Fees.	Subscriptions.	Endowments.	Other.
	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>	<i>s.</i> <i>d.</i>
Church, inspected	4 6½	5 10½	5 3½	1 9½	2 5½
Ditto, uninspected	—	4 9	6 8½	6 2	2 4½
British, inspected	5 2½	8 1	5 1½	—	1 7
Ditto, uninspected	—	9 11	6 6½	1 1½	2 4½
Denominational, inspected	5 3½	9 3½	4 5½	—	1 0
Ditto, uninspected	—	12 1½	5 0½	1 5½	1 4½
Non-denominational, uninspected ...	—	7 7½	1 8½	9 1½	1 6½

In the case of the Church of England schools, which comprise between nine and ten-elevenths of the public week-day schools in the country, it will be seen that the subscriptions to schools not receiving Government aid, though somewhat larger in amount than the subscriptions to those receiving it, are not nearly sufficient to make up the absence of the Government aid. In inspected schools they amount to a little more than one-fourth, in uninspected schools to rather more than one-third, of the total income. Neither is the absence of Government support compensated by increased payments from the children. On the contrary, the school fees are considerably lower in uninspected than in inspected Church of England schools. The occasional sources of income in each case amount to a little less than one-eighth of the whole.

The uninspected schools, as a class, have greatly the advantage in the amount of their endowments (6*s*. 2*d*. in the pound), the excess of which over the endowments of the inspected schools (4*s*. 4½*d*. in the pound), almost exactly balances the Government aid (4*s*. 6½*d*. in the pound), afforded to inspected schools. On comparing the proportions of income raised in the British and denominational inspected and uninspected schools, it appears that the want of assistance from the Government is in each case supplied partly by endowments, but in a much larger proportion by an increase of the school pence. There is evidence that the schools connected

with the Protestant dissenting denominations are attended by the children of parents who pay higher fees than schools connected with the Church of England. It remains to consider each source of income by itself, and to point out the circumstances connected with it, which appear to require notice.

1. *Government Grants for the Annual Maintenance of Schools.*—The Government contributes, as has been already observed, about a quarter to the income of the schools which receive annual grants. It must, however, be remembered, that this contribution is made upon terms which secure its expenditure upon the improvement as distinguished from the direct provision of education. The annual grants improve the quality of schools, but except in so far as the prospect of obtaining Government assistance may operate as an inducement to private persons to subscribe, they cannot be said to increase the number of schools. A question has been raised how far the Government grant has produced an increase of private liberality. That such an increase has taken place contemporaneously with the grant, there can be no doubt; but it is impossible to give direct proof of the proposition that it would not have taken place if no grant had been made. But though the supposition that it would is possible, it is opposed to almost all the opinions which we have collected. The reports of the assistant commissioners furnish abundant evidence on this head. Mr. Cumin's experience in Bristol is particularly valuable, because that city appears to be better provided with the means of education than any other into the state of which we have inquired, whilst there is none in which it is more liberally supported by all classes of the population. Now, Bristol has received from the education grant upwards of 32,000*l.*; yet all the witnesses connected with Bristol agree that the Government aid has stimulated local exertion. So, too, in Devonport, the Rev. Æneas Hutchinson, who has had very great and varied experience in the matter, cited to Mr. Cumin the contributions to the schools in his own parish in proof of a similar assertion. They rose from 1849 to 1857 as follows:—30*l.*, 36*l.*, 50*l.*, 71*l.*, 86*l.*, 85*l.*, 107*l.*, 96*l.*, 100*l.* Similar evidence is given by most of the assistant commissioners.

It appears to be well established that the number of persons who entertain conscientious scruples to the acceptance of Government aid has greatly diminished since the first establishment of the system. The aid given by Government is at present accepted by members of all denominations and by the population of all districts. The only exception is to be found in the case of those Baptists, Independents, and Friends whose views upon public education are represented by the Voluntary School Association, and the Congregational Board.

It is, however, easier to get a school built than to get it supported, and there is more evidence that the Government grants promote subscriptions for the former than for the latter purpose. Where a single effort is to be made, the prospect of Government assistance will induce private individuals to contribute; but where there is a fixed annual charge, the local interest is apt to flag, and great difficulty is experienced in obtaining subscriptions for what is looked upon as an established institution.

2. *School Fees.*—Fees supply a proportion of the total income of the schools varying from about a quarter to as much as three-fifths. Minute information respecting the fees in schools in receipt of annual grants has been collected by the committee of council, and is contained in a table in

the statistical part of our report. The payments vary in the schools of different denominations.

The following table gives the results in an abridged form:—

CENTESIMAL PROPORTIONS of the TOTAL NUMBER of CHILDREN of each of the undermentioned CLASSES of RELIGIOUS SCHOOLS paying certain stated FEES.

Denomination or Class of School.	1d. and less than 2d.	2d. and less than 3d.	3d. and less than 4d.	4d.	Over 4d.
Roman Catholic	65·93	25·72	4·92	2·71	·72
Church of England	87·3	45·25	11·51	4·15	1·79
Protestant Dissenters and British schools	17·57	39·96	22·23	15·79	4·45
Total	34·6	43·19	13·41	6·5	2·3

Whether the rate of fees denoted by this table could be raised is a question on which our inquiries have not enabled us to express any general and decided opinion. The rates differ widely, not only in the schools of different denominations, but in different districts. In Church of England schools in Yorkshire only 16·19 and in Lancashire and the Isle of Man only 22·95 per cent. of the children pay so little as 1d. a week, whilst in Buckingham, Cambridgeshire, and three adjoining counties, the proportion is 60·95, and in the western counties 66·53 per cent.

Mr. Watkins, the inspector of schools for Yorkshire, stated that throughout his district the fees were usually a little over 2d. a week, that the experiment of increasing that amount had been hardly ever tried; and though he would not give a positive opinion as to the possibility of raising the fees, the general tendency of his evidence seemed to be unfavourable to the prospect of the success of such a measure. Mr. Scott, the principal of the Wesleyan Training School, said that "except in rural and infant Wesleyan schools," 3d. a week was usually charged; he thought that 4d. would be "a very great strain" upon the poor. Mr. Unwin, speaking of the schools connected with the Congregational Board, which reject State aid on principle, said that though the suburb in which the model schools connected with the Board are situated is one of the poorest in London, the parents paid about 12s. a year, which for a school year of forty-four weeks would be more than 3d. week.

As the whole expense of the education of each child is about 1l. 10s. a year, including the share of grants for teachers and central and office expenses, and as the attendance of the children lasts at the utmost for only forty-four weeks in the year, no parent can be said to pay fully for the education of his child, unless he pays at least 8d. a week. The difference between what he actually pays and 8d. a week is in the nature of a charitable donation. There is therefore reason for raising the rate of payment as nearly to 8d. a week as the ability of the parents will permit. The question whether such a course is possible in any particular case will of course depend upon a variety of local circumstances. The ability of a poor agricultural district can be no guide as to that of a rich manufacturing town; but the evidence seems to prove that an increase in these payments is practicable in many cases, and that it is not so unwelcome to the parents as might be expected. Almost all the evidence goes to show that though

the offer of gratuitous education might be accepted by a certain proportion of the parents (and, in fact, in ragged schools it is necessary to take precautions against their being used by persons for whose benefit they were not intended), it would in general be otherwise. The sentiment of independence is strong, and it is wounded by the offer of an absolutely gratuitous education. The feelings, which tend to make the offer of gratuitous instruction unpopular, tend also to incline the parents to pay as large a share as they can reasonably afford of the expense of the education of their children. Several instances are given, both by the inspectors and by the assistant commissioners, in which the parents willingly concurred in an increase of the school pence. "So far," says Mr. Norris, "from high fees emptying a school, I have found that of the schools in my district (Chester, Stafford, and Shropshire) the most expensive are the most popular;" and instances are given, both by Mr. Norris and by Mr. Cumin, in which the raising of the fees was decidedly popular with the parents, and was followed by an increased attendance of children. This, of course, cannot go beyond a certain point, which must be ascertained by experience in each district. If the fees are too high the poor will be driven from the school, and it will be frequented by children of a higher class, for whom the Government grant is not intended.

Some of our witnesses have gone so far as to assert broadly that high fees are more popular with the parents than low ones. This appears extremely improbable. The truth probably is that the parents, or at least the large majority of them, mistrust the value of a purely gratuitous education; that they prefer paying a comparatively high fee to an efficient school to paying a low fee to an inefficient; and that they believe a high fee to imply peculiar efficiency or at least peculiar attention. There can be little doubt that a school which combined high fees with a reputation for inefficiency would soon lose its pupils.

An arrangement is occasionally made with respect to school pence, which deserves notice. The payments are graduated according to the position in life of the parents, farmers, and shopkeepers being charged more than mechanics and labourers. This plan is favourably spoken of by several informants. It has the advantage of affording an additional security for the efficiency of the school, as the richer class of parents would never continue to pay the higher scale of fees unless they represented an adequate advantage.

Upon the subject of the mode of payment, Mr. Fraser's report contains an observation of considerable importance. He says:—"It would be a great improvement on the system of school fees if the payments were made monthly; or, still greater, if quarterly, instead of weekly. The weekly payment has this difficulty about it. If a child is unavoidably kept from school, perhaps only for a single day, at the beginning of the week, the whole week is often lost, because the parent does not think it worth while to pay the fee, on which, of course, from its amount, no discount can be given, for four days' schooling; so that if a child is absent on Monday or Tuesday, it is ten to one if the master sees his face again till the following Monday. This difficulty, which is not felt in the free schools, would be certainly obviated if the payments were for longer periods, *in advance*; and I am persuaded that a considerable reduction might be made in consideration of possible contingencies; *e.g.* a shilling, or even tenpence, a quarter, instead of a penny a week, or one shilling and ninepence a quarter, instead of two-

pence a week; and the school income still be a large gainer; by the change. Having had eight years' experience of the system in my own parochial school, I ventured to advocate its adoption whenever I had the opportunity."

It should be added that the managers do not in general appear to be so strict in enforcing the payment of fees, as to be unwilling to make exceptions to meet particular cases. In reference to schools which are almost entirely supported by school pence, or by the subscriptions of the parents, and which are thus much in the nature of proprietary schools for the lower classes, Mr. Lingen says:—"I think that you would almost invariably find that no person would be turned away from such a school if he wished to enter on payment of a lower fee. If you were to put it before the managers, A.B. can pay 2*d.* a week, but cannot pay 4*d.* a week, and wishes to come to this school, I do not think that you would ever find that they would turn that child away." It is also a common practice to charge a reduced fee for the attendance of more children than one belonging to the same family. Private schools are supported exclusively by the payments of scholars. The fees charged in them often vary according to the subjects taught, so that it would be impossible, without very minute statistics, to show the average payments. Light is thrown upon the subject by two tables in the statistical part of our report, constructed from the returns collected by the assistant commissioners, and showing the number and centesimal proportion of scholars attending schools in which the highest fee stands at various rates, from 1*d.* to 1*s.*, and the number and centesimal proportion of schools in which they are charged.

It appears that in 68·95 per cent. of the schools, containing 66·77 of the scholars, the highest charge is from 2*d.* to 6*d.*, that in 16·57 per cent. of the schools, containing 17·73 of the scholars, the highest fee ranges from 7*d.* to 1*s.*; and that in 13·82 per cent. of the schools, containing 14·72 of the scholars, the highest charge is upwards of 1*s.* a week.

3. *Subscriptions.*—Subscriptions are the next source of income; their payment is the condition upon which the existence of the Government grants and school pence depends. The proportion which they bear to other sources of income has been already shown to vary from one-third to one-fourth of the total income of the school. The principal point of interest connected with them is the question as to the source from which they are derived.

A distinction must be drawn between different parts of the country. Subscriptions stands upon a different footing in manufacturing districts, in large towns, and in agricultural districts.

In manufacturing districts, and especially in those parts of the country in which manufactures are carried on in large establishments, the employers of labour exercise a supervision over the education of the workpeople in their employ which is unknown elsewhere. Not only do they contribute themselves a very large proportion towards the annual support of schools, but they not unfrequently compel the persons in their employment to contribute also, by means of weekly stoppages from their wages. Mr. Foster's experience in Durham and Cumberland supplied several instances of this practice, and Mr. Jenkins met with it also in the ironworks in South Wales. "In South Wales," says Mr. Jenkins, "a charge on the earnings of the workman, in the form of a poundage, or a deduction of a sum amounting from a penny to three halfpence per head, from their weekly wages," is

made for the support of schools connected with collieries and ironworks, and is levied on all alike, even young and unmarried men and boys. Mr. Foster constructed a table with respect to forty-nine schools in his district (Durham and Auckland), showing the proportions in which various persons contributed to the support of the schools. The result shows the deep interest which, in that part of the country, large employers of labour take in the education of the persons in their employ.

	In the Coal District.	In the Rural and Lead Mining Districts.
Landowners	27.0 per cent.	67.4 per cent.
Occupiers	1.6 "	0.7 "
Owners or lessees of mines	56.0 "	4.8 "
Householders... ..	0.7 "	9.7 "
Ministers of religion	14.7 "	17.4 "

In Bradford and Rochdale, and generally in towns to which the half-time system applies, the effect of legislation has been, in many instances, to force the manufacturers to provide schools in connection with their factories, and in other cases the consciousness that it would be necessary for them to do so, unless a school which could receive the half-time children connected with their factories could be established by other means, has induced them to contribute liberally to the establishment of such schools.

In rural districts, a state of things exists less favourable to education. In the first place, the schools are relatively far more expensive than in the towns, because they are smaller; the school fees are lower, seldom exceeding 1*d.* a week, and thus private subscriptions are more important. In the second place, the landowners do not contribute to the expenses of the schools so liberally as the wealthy classes in mining districts or large towns, so that the burden of supporting the schools falls principally on the parochial clergy, who are ill able to support it. This is set in a strong light by a letter published to Mr. Fraser's report, from which it results that 4,518*l.* contributed by voluntary subscription towards the support of 168 schools was derived from the following sources:—169 clergymen contributed 1,782*l.*, or 10*l.* 10*s.* each; 399 landowners contributed 2,127*l.*, or 5*l.* 6*s.* each; 217 occupiers contributed 200*l.*, or 18*s.* 6*d.* each; 102 householders contributed 181*l.*, or 1*l.* 15*s.* 6*d.* each; 141 other persons contributed 228*l.* The rental of the 399 landowners is estimated at 650,000*l.* a year.

The heaviness of the burden borne by the clergy is imperfectly indicated even by such figures as these. It frequently happens that the clergyman considers himself responsible for whatever is necessary to make the accounts of the school balance, and thus he places himself towards the school in the position of a banker who allows a customer habitually to overdraw his account. He is the man who most feels the mischief arising from want of education. Between him and the ignorant part of his adult parishioners there is a chasm. They will not come near him, and do not understand him if he forces himself upon them. He feels that the only means of improvement is the education of the young; and he knows that only a small part of the necessary expense can be extracted from the parents. He begs from his neighbours, he begs from the landowners; if he fails to persuade them to take their fair share of the burden, he begs from his friends, and even from strangers; and at last submits, most meritoriously

and most generously, to bear not only his own proportion of the expense, but also that which ought to be borne by others. It has been repeatedly noticed by the school inspectors, and it is our duty to state that, as a class, the landowners, especially those who are non-resident (though there are many honourable exceptions), do not do their duty in the support of popular education, and that they allow others, who are far less able to afford it, to bear the burden of their neglect.

These observations apply chiefly to schools connected with the Church of England, to which denomination almost all the schools in rural districts belong. In British schools, and schools connected with Protestant Dissenting denominations, which are generally situated in towns, the number of subscribers is much larger, and the amount of each subscription is smaller. In some cases these subscriptions are given by the parents of the scholars, and when this is the case, the school becomes, to use the expression adopted by Mr. Lingen, a sort of "proprietary school" for those who attend it.

Endowments are considered in a separate part of this report, and the occasional sources of income call for no remark.

4. *The Number of Schools and Scholars.*—The object of this examination is to show what may be described as the gross amount of popular education. This gross amount is subject to large qualifications and deductions, which will be pointed out in the following chapters, when we come to consider the regularity of attendance and the quality of the education given.

The first point is to ascertain the total number of scholars whose names are *on the books* of the different elementary schools in England and Wales. This number is, of course, far larger than the number of scholars in regular or even in average attendance. The relation between these numbers will be shown in a future chapter.

The mode in which the results given below have been reached is as follows:—We obtained through the different central societies and public departments already enumerated, statistics of almost all the public schools in England and Wales. We ascertained, through the assistant commissioners, the proportion which in their districts, comprising about one-eighth of the population of the country, was borne by the scholars in private, to the scholars in public schools; and assuming this proportion to hold good for the country at large, we made the necessary addition to the number ascertained to belong to the public schools. The result at which we arrived was that in the middle of the year 1858, being the time at which this part of our inquiry was made, there were in England and Wales, 58,975 week-day schools, containing 2,535,462 scholars. Of the schools,* 24,563, containing 1,675,158 scholars, were public, and 34,412,† containing 860,304 scholars, were private. The average number of scholars in each public week-day school was 68·2; the average number in each private week-day school, 24·82. Of the scholars in public week-day schools, 911,152 were males, and 764,006 females. In private schools there were 389,607 males and 470,697 females. Of the 2,535,462 children on the books of week-

* By "school" is here meant a separate department, under a separate principal teacher. Thus an establishment, containing a boys', girls', and infants' school, would be regarded not as one, but as three schools.

† It may be remarked, by way of comparison, that the number of private schools, as ascertained by the census, was 30,524.

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day schools, 35,000 were in collegiate and superior endowed schools, and 286,768 in private schools for the upper and middle classes, making together 321,768 children receiving a superior education. Thus the number of children of the poorer classes under education is 2,213,694.

The public schools may be divided into four classes:—I. Schools supported by religious denominations, 22,647; scholars, 1,549,312. II. Schools not specially connected with religious denominations, 357; scholars, 43,098. III. Schools entirely or almost entirely supported by taxation, 999; scholars, 47,748. IV. Collegiate and superior or richer endowed schools, 560;* scholars, 35,000. Total, 24,563 schools, and 1,675,158 scholars.

The subdivisions of which each of these classes is composed, and the average size of the schools which each subdivision contains, appear from the following table.

These statistics relating to the various classes of public week-day schools, and also those respecting evening and Sunday schools, are arranged in the order of counties in the statistics printed with our report.

Description of School.	Number of Week-day Schools and of Scholars.				Average Number of Scholars in a School.
	Week-day Schools, i.e., Departments.	Male.	Female.	Total.	
CLASS I.					
Church of England	19,549	624,104	562,982	1,187,086	60·7
British Schools	1,131	89,843	61,162	151,005	113·5
Roman Catholics	743	41,678	44,188	85,866	115·5
Wesleyan (old connexion)	445	35,887	23,986	59,873	134·5
Congregational	388	18,143	15,020	33,163	85·4
Baptist	144	5,102	4,286	9,388	65·2
Unitarian	54	2,105	1,983	4,088	75·7
Calvinistic Methodist (a)†	44	1,759	1,170	2,929	66·5
Jews	20	1,908	1,296	3,204	160·2
Society of Friends (a)	33	1,674	1,352	3,026	91·7
Presbyterian Church, in England (a)	28	1,675	1,048	2,723	97·2
Primitive Methodists (a)	26	643	699	1,342	51·6
Presbyterians, undefined (a)	17	1,538	1,064	2,592	152·4
Methodists, new connexion (a)	14	1,096	755	1,851	132·2
United Methodist Free Church (a)..	11	656	520	1,176	107·0
Total	22,647	827,801	721,511	1,549,312	—
CLASS II.					
Ragged Schools	192	10,308	10,601	20,909	108·9
Orphan and Philanthropic	40	2,116	1,646	3,762	94·5
Birkbeck Schools	10	1,088	339	1,427	142·7
Factory Schools (a)	115	9,000	8,000	17,000	147·8
Total	357	22,512	20,586	43,098	—

(a) These returns are taken from the Census of 1851.

* These round numbers have been taken from the Census of Education of 1851.

† Circulars and forms in the Welsh language were issued from the office of the Education Commission to Calvinistic schools, but the returns were so imperfect that it has been thought advisable to adopt the numbers of the census returns.

SCHOOL STATISTICS.—*continued.*

Description of School.	Number of Week-day Schools and of Scholars.				Average Number of Scholars in a School.
	Week-day Schools, <i>i. e.</i> , Departments.	Male.	Female.	Total.	
CLASS III.					
Workhouse	869	18,313	16,990	35,303	40·6
Reformatory	47	2,198	485	2,683	57·0
Naval (<i>b</i>)	13	1,476	15	1,491	114·6
Military (<i>c</i>)	70	6,852	1,419	8,271	118·1
Total	999	28,839	18,909	47,748	—
CLASS IV.					
Collegiate and superior or richer Endowed Schools (<i>a</i>)	560	32,000	3,000	35,000	62·5

(a) These returns are taken from the Census of 1851.

(b) Not including ships' schools.

(c) Not including regimental schools.

The schools are either for boys, for girls, for boys and girls, or for infants. Some notion of the proportion which they bear to each other may be derived from the fact that of 1,895 schools in the districts of the assistant commissioners, 927, or 48·9 per cent., were mixed; 421, or 22·2 per cent., were boys'; 342, or 18·1 per cent., girls': and 205, or 10·8 per cent., infants' schools.

The evening schools, like the day schools, are connected, for the most part, with religious denominations. Their distribution, and the number of the scholars, is shown by the following table:—

Description of School.	Number of Evening Schools and of Scholars.			
	Schools, <i>i. e.</i> , Departments.	Scholars.		
		Male.	Female.	Total.
Church of England	1,547*	39,928	14,229	54,157
Congregational	125	3,748	2,596	6,344
British Schools	108	2,842	1,408	4,250
Roman Catholic	96	3,292	5,121	8,413
Baptist	78	1,854	1,098	2,952
Unitarian	37	950	760	1,710
Wealeyan (old connexion)	21	687	463	1,150
Jews	6	123	182	305
Non-Sectarian	9	654	324	978
Ragged Schools	14	493	214	707
Total	2,036	54,571	26,395	80,966

* This number of Church of England Evening Schools is estimated. The number of evening scholars in England and Wales was absolutely ascertained by the National Society; but the number of departments or schools was not ascertained. In order, however, to find it with proximate accuracy, the proportion of evening scholars to each evening school existing in the ten specimen districts has been applied to the ascertained number, 54,157.

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The following table gives similar information with respect to Sunday Schools:—

Description of School.	Number of Sunday Schools and of Scholars.			
	Schools, i.e., Departments.	Scholars.		
		Male.	Female.	Total.
CLASS I.				
Church of England	22,236	540,303	552,519	1,092,822
Wesleyan (old connection)	4,311	224,519	229,183	453,702
Congregational	1,935	128,081	139,145	267,226
Primitive Methodist	1,493	68,273	68,656	136,929
Baptist... ..	1,420	77,153	82,349	159,502
Calvinistic Methodists*	962	60,025	52,715	112,740
Methodist (new connection)	336	24,943	26,574	51,517
United Methodist Free Churches	402	30,540	32,069	62,609
Roman Catholics	263	15,768	19,690	35,458
Unitarians	133	6,940	6,202	13,142
Non-Denominational	23	1,537	1,125	2,662
Jews (Sabbath)	2	18	70	88
Total	33,516	1,178,100	1,210,297	2,388,397
CLASS II.				
Ragged Schools (Sunday and Sunday evening)	356	11,625	11,532	23,157
Total	33,872	1,189,725	1,221,829	2,411,554

Of the children thus enumerated, 917,255 were, in 1860, on the books of schools in receipt of annual grants from the committee of council. The total number of children in schools of the first and second of the four classes mentioned in page 80, was, when our returns were made, 1,592,410. If this number remains unaltered, there are 675,155 scholars in public schools of the class for which the grants were intended, but which derive no annual advantage from them.

In the private schools there were 860,304 pupils. In the specimen districts, it appeared from the returns that about one-third of the scholars in private schools belonged to the upper and middle classes. If this proportion is applied to the whole country, it would follow that 573,536 of the children in private schools are of the class for which the annual grants are intended and derive no benefit from them. These, added to the scholars in unassisted public schools, make a total of 1,248,691 children to whose education the annual grant does not contribute.

In round numbers, the annual grants in 1860 promoted the education of about 920,000 children, whilst they leave unaffected the education of 1,250,000 others of the same class. The number of children unassisted is somewhat larger than this, as it has no doubt increased since our statistics were collected. These figures, however, do not show the full extent to which the annual grants promote education, for it must be remembered that

* The numbers of the Calvinistic Methodist schools and scholars have been taken from the Census Returns of 1851. Circulars and forms in the Welsh language were issued from the office of the Education Commission; but the returns were so imperfect that it has been thought advisable to adopt the numbers of the Census Returns.

the schools assisted by the Privy Council grants could accommodate many more children than they actually contain. In the schools visited on account of annual grants in England and Wales in 1859, the number of scholars on the books was 789,186. The schools contained accommodation for 790,353 children, at eight square feet per child.

We have no exact information as to the extent of the accommodation for scholars in schools not in the receipt of annual grants from the committee of council. If the same proportion holds for these schools as for those referred to in the table given in the minutes for 1859-60, they might contain 1,127,821 children. In drawing practical conclusions from this fact, it must be borne in mind that an unascertained deduction must be made on account of the unequal local distribution of the schools. The surplus accommodation is not always provided in the places where the population requires it. On the other hand, precautions are taken by the committee of council against the erection of larger schools than are required. Taking these circumstances into consideration, it appears probable that a considerably larger number of children might be educated in the annual grant schools than is the case at present, though, of course, at some increase of expense.

The foregoing calculation is based upon the number of children ascertained to be at school at a given time. Its accuracy is confirmed by the following considerations, which give nearly the same result, though they set out from an independent base and establish separate conclusions.

The only way of discovering with complete accuracy how long the names of children are usually retained on the books of schools, would be to examine the careers of a number of individual children, sufficiently large to furnish an average applicable to all the children in attendance throughout the country. The intricacy of such an inquiry, and the impossibility of obtaining trustworthy evidence as to the multitude of minute points which it would have embraced, put it out of the question. Such evidence, however, as there is, points to the conclusion that the bulk of the children who attend elementary schools have their names on the books of some school from six to ten years of age, though a considerable number go before six, and many remain as late as twelve. The children of the higher classes probably attend longer. We may, therefore, assume, in order to calculate the number of children who ought to be at school at a given time, that the average period of attendance for children of all classes does not exceed six years. Assuming, therefore, six years as the average period of attendance, the names of one-half of the children between three and fifteen, or 2,655,767 ought to have been on the books of some school at the time when our statistics were exhibited, in order that all might then have been receiving some education.

The number actually on the books of all schools was 2,535,462. This falls short of the number required by 120,805.

Against this deficiency we have to set off children permanently incapacitated by bodily or mental infirmities, of whose number we have no certain estimate, and children educated at home, the number of whom must be small, except in the wealthier classes. Most of the children who, being able to attend, do not belong to any school, appear, from evidence given in subsequent parts of the report, to be the children of out-door paupers or of parents viciously inclined. With these exceptions, almost all the children in the country capable of going to school receive some instruction.

If the average period of attendance is shorter than six years, the difference between the number of names which ought to be, and the number which are on the books, would be even less than it actually is.

The average duration, as determined exclusively by our statistics, and independently of the general evidence, is $\frac{3,285,419 \times 19}{6,811,584} = 5.7$. This result confirms the inference drawn from the general evidence.

No doubt many of the schools are exceedingly bad, and the attendance is frequently so irregular as to be of little value, but the result is nevertheless a valuable one, as it points out the direction which future efforts for the improvement of popular education ought to assume. There is no large district entirely destitute of schools and requiring to be supplied with them on a large scale, nor is there any large section of the population sharply marked off from the rest, and capable of being separately dealt with, as requiring some special and stringent system of treatment. The means of obtaining education are diffused pretty generally and pretty equally over the whole face of the country, and the great mass of the population recognizes its importance sufficiently to take advantage, to some extent, of the opportunities thus afforded to their children.

This, however, applies only to day-school education. The provision of evening schools is altogether inadequate to the wants of the population. There are only 2,036 of them, containing 80,966 scholars, and the instruction given in them is almost entirely elementary. If the education of the country were in a good state, they would be nearly universal, and would serve to compensate the scantiness of the instruction given in day schools, by giving more advanced instruction to an older class of scholars.

The deficiency in the provision of infant schools is also important. Of 184,064 scholars on the books of public week-day schools in the ten specimen districts, only 25,864, or 14 per cent., were taught in separate infant schools, though 31 per cent. of the scholars, or 57,243, were between three and seven years of age. It appears, however, from the statistics collected by the committee of council, that though the attendance of infants at school is far from adequate, it is improving. The percentage of children under five years of age receiving instruction was,—in 1855, 7.57; in 1856, 13.23; in 1857, 14.47; in 1858, 12.67; in 1859, 12.17. The proportion of the population between three and five being 18.34 per cent. This table shows only the proportion of infants who attend school; it does not show the proportion of children in infant schools, properly so called.

The progress made by popular education in the course of the last ten years is measured by the fact that the proportion of scholars to the population was ascertained by the census of 1851 to be 1 in 8.36. Our returns, collected through societies connected with education and by other means, show that in the middle of the year 1858 the proportion was 1 in 7.7. The returns collected by the assistant commissioners show that in their districts, which included one-eighth of the total estimated population of England and Wales, the proportion was 1 in 7.83. This result coincides so nearly with that of the inquiry conducted through the societies as to supply a strong confirmation of its accuracy.

The following table, showing the proportion of scholars to population in each specimen district in 1851 and 1858, shows the comparative progress made in different parts of the country:—

				Proportion of Scholars to Population in 1851.		Proportion of Scholars to Population in 1858.
Mr. Hedley's (agricultural)	...	...	...	1 in 7·77	.....	1 in 7·39
Mr. Fraser's do.	...	...	...	1 in 9·46	.....	1 in 7·46
Mr. Wilkinson's (metropolitan)	...	...	...	1 in 9·62	.....	1 in 8·34
Dr. Hodgson's do.	...	...	...	1 in 8·27	.....	1 in 7·64
Mr. Winder (manufacturing)	...	...	...	1 in 10·15	.....	1 in 9·46
Mr. Coode do.	...	...	...	1 in 10·17	.....	1 in 8·07
Mr. Foster (mining)	...	...	...	1 in 7·96	.....	1 in 6·44
Mr. Jenkins do. Welsh	...	...	...	1 in 13·88	.....	1 in 10·58
Mr. Cumin (maritime)	...	...	...	1 in 8·23	.....	1 in 6·47
Mr. Hare do.	...	...	...	1 in 8·26	.....	1 in 7·83
Total	...	...	...	1 in 9·09	.....	1 in 7·83

The presence of this proportion of the population in school implies (as is shown by the foregoing calculations) that almost every one receives some amount of school education at some period or other; but it also implies that the average attendance is far shorter than it ought to be; and it is perfectly consistent with the incompetency of a large proportion of the schools in the country to give really useful instruction, or to have considerable influence in forming the character of those who attend them.

CHAP. II.—TEACHERS OF SCHOOLS OF THE INDEPENDENT POOR.

To very poor children the school is a substitute for a home; they frequently have no other experience of domestic comfort and decency, and the teacher and those who take an active interest in the school are the only persons of tolerably cultivated minds with whom they are brought into anything approaching to an intimate relation. The influence which the personal character of the teacher exercises over the scholars is accordingly very great. "As I go from school to school," said Mr. Moseley, "I perceive in each a distinctive character, which is that of the master; I look at the school and at the man, and there is no mistaking the resemblance. His idiosyncrasy has passed upon it; I seem to see him reflected in the children as in so many fragments of a broken mirror."

The teachers of the schools of the independent poor form the subject of this chapter. They are trained or untrained. We do not think it necessary to dwell, specifically, on the untrained teachers in public schools. We show hereafter what they were before the introduction of the pupil-teacher system, and there is no reason to suppose that they are now materially different, though probably they have been affected by the general improvement of education. A large proportion of the untrained teachers are to be found in the private schools. We shall state shortly the results of our evidence respecting them, and pass on to the more important subject of the trained teachers. We shall trace the professional education of the trained teachers from its commencement, when they are pupil-teachers, to its termination, when they have become certificated masters and mistresses, in charge of schools. We shall show by an examination of their conduct as masters and mistresses what are the fruits of that education.

We shall suggest some measures for the improvement both of their education and of their conduct; and we shall end by showing how far the supply of trained teachers may be expected to fall short of the demand for them, or to exceed it.

This chapter, therefore, will be divided into six sections:—1. Teachers of private schools. 2. Pupil-teachers. 3. Students in training colleges. 4. Trained teachers in charge of schools. 5. General statistics as to trained teachers. 6. Recapitulation.

§ 1.—*Teachers of Private Schools.*

A large proportion of the private schools kept by women have been already described in the last chapter under the head of infant schools, but there are many others which are intended for children of the same age and class as public day schools. As the business is conducted exclusively for private profit, little information has hitherto been collected by public authority respecting these institutions; but the assistant commissioners were directed to inquire into the subject. Some difficulty was experienced by them in determining what schools fell within and without the line of their inquiry; but in their more minute inquiries they excluded from it all schools in which the charge for attendance exceeded a certain sum per quarter, usually 1*l*. They found the schools of all degrees of efficiency, some of them being greatly preferred by the parents to public schools. The existence of this preference is well illustrated by one of Mr. Wilkinson's informants. He says:—

"There is a strong and wide-spread preference among the poor of London for private over public schools, partly because the former are more genteel (this is increased in proportion as the public school is cheaper), partly because the same regularity of attendance is not required—(Illustration).—A poor cripple, without legs from infancy, was brought up at a national school; when about fourteen, possessing good abilities and teaching power, he was retained as monitor till eighteen, when he was dismissed for misconduct. He then opened a school on his own account, and got twenty or thirty boys; this failed through his misconduct, and for some years he lived on alms, wheeling himself about the streets. Once more he tried a school, through the help of friends, who thought he had improved in character. He then took two rooms in a small court, close by a national school in high repute, under an excellent certificated master, an assistant, and five pupil-teachers, where the fee is 2*d*. a week and 1*d*. extra for drawing; there are 150 boys, and there is room for 50 more. The private school under the cripple is crowded to excess; the rooms being about 20 feet by 10, and 8 high, the children have scarcely room to sit; fees. 3*d*. and 6*d*. Boys are sometimes taken from the 1st, 2nd, and 3rd classes of the national school to be finished at this private school."

Some of these schools are decidedly good, others indifferent, and others very bad indeed; in fact, they are of all degrees of merit. "They present," says Mr. Fraser, "as many features of discrepancy as public schools, and as many degrees of merit." It is to be feared, however, that the bad schools are the most numerous.

The teachers of these schools are of course of characters as various as the schools which they teach, but they have rarely been in any way trained to their profession, and they have almost always selected it, either because they have failed in other pursuits, or because, as in the case of widows, they have been unexpectedly left in a state of destitution. The evidence of the assistant commissioners upon this point is unanimous. Mr. Fraser, after saying that, "the great majority of the private schools in his district are kept by most respectable people, some of them by very admirable men and

women," adds that, "the teachers have often no special fitness, or, at least, no fitness that is the fruit of preparation or training for their work, but have taken up the occupation in default of or after the failure of other trades. . . . Most of them have picked up their knowledge promiscuously; several combine the trade of school-keeping with another." "The general testimony," says Mr. Hare, speaking of Hull, Yarmouth, and Ipswich, "goes to show that most private schoolmasters are men who have failed in other pursuits, and that many of them eke out a subsistence by doing whatever odd jobs chance may throw in their way. One witness specifies quondam barbers, sailors, soldiers, and millers, as turning to school-keeping, and present schoolmasters as being also interested in ship-owning or engaged in rate-collecting. . . . I became acquainted with one whose general intelligence enabled him not only to keep a day and evening school, but also to cater for a country newspaper, to conduct the correspondence of persons who are no scholars, and to make the wills of testators who are penny-wise and pound-foolish."

Mr. Cumin's experience in Bristol and Plymouth was similar. Of the private schoolmasters in Devonport, one had been a blacksmith and afterwards an exciseman, another was a journeyman tanner, a third a clerk in a solicitor's office, a fourth (who was very successful in preparing lads for the competitive examination in the dockyards) keeps an evening school and works as a dockyard labourer, a fifth was a seaman, and others had been engaged in other callings. Of some of these schools Mr. Cumin's informant spoke in favourable terms.

In none of the districts, however, were these features so strongly marked as in London. Dr. Hodgson found evidence (parts of which have been already quoted) to justify the assertion, that "none are too old, too poor, too ignorant, too feeble, too sickly, too unqualified in any or every way, to regard themselves, and to be regarded by others, as unfit for school-keeping. Nay, there are few, if any, occupations regarded as incompatible with school-keeping, if not as simultaneous, at least as preparatory employments. Domestic servants out of place, discharged barmaids, vendors of toys or lollipops, keepers of small eating-houses, of mangles, or of small lodging-houses, needlewomen, who take in plain or slop work; milliners; consumptive patients in an advanced stage; cripples almost bedridden; persons of at least doubtful temperance; out-door paupers; men and women of seventy and even eighty years of age; persons who spell badly (mostly women, I grieve to say), who can scarcely write, and who cannot cipher at all." Mr. Wilkinson's account of the matter is very similar. He says that the profession, as such, hardly exists, and that it is a mere refuge for the destitute, and enumerates grocers, tobacconists, linendrapers, tailors, attorneys, painters, German, Polish, and Italian refugees, bakers, widows, or daughters of clergymen, barristers, and surgeons, housekeepers, ladies' maids, and dress-makers, as being found amongst the teachers of private schools. Mr. Winder says that hardly any one is brought up to the business unless he suffers from some bodily infirmity. He called, without design, on five masters successively, all of whom were more or less deformed; one, who taught in a cellar, being paralytic and horribly distorted. All other private schoolmasters had been engaged in other callings; but three only, a stationer, a druggist, and a clock-cleaner, carried on their business concurrently with teaching.

Most of the private schools which came under the notice of the assistant

commissioners were institutions of the most temporary kind, set up and afterwards laid aside, apparently without any notion on the part of those who conducted them, that they were either intended or suited for permanence, a conclusive proof that they were mere makeshifts for the purpose of obtaining a precarious livelihood.

"The majority of these private schools," says Mr. Fraser, "are of very mushroom growth, by far the larger proportion of the existing ones having sprung up since the census of 1851." Dr. Hodgson's report shows the cause of this:—"When other occupations fail, even for a time, a private school can be opened, with no capital beyond the cost of a ticket in the window. Any room, however small and close, serves for the purpose; the children sit on the floor, and bring what books they please: whilst the closeness of the room renders fuel superfluous, and even keeps the children quiet by its narcotic effects. If the fees do not pay the rent, the school is dispersed or taken by the next tenant."

Notwithstanding the inefficiency of many of the private schools, they appear to maintain their ground against the public schools on account of the preference which exists for them in the minds of the parents; but the complaint that the Government grant enables the public schools to undersell, and so to ruin them, is very common amongst the teachers. Mr. Winder observes that, except in very favourable situations, the school fee cannot be raised much above the public school level, and that in consequence the private teachers bitterly complain that they find it difficult to earn a living.

The following table bears upon this point. It shows the proportion per cent. of scholars in private schools to the whole number of scholars in each of the districts of the assistant commissioners in 1851 and in 1859:—Eastern agricultural, 1851, 37·4; 1859, 32·6. Western agricultural, 1851, 29·7; 1859, 28·4. Metropolitan, 1851, 33·7; 1859, 35·0. Metropolitan southern, 1851, 34·4; 1859, 32·7. Bradford and Rochdale, 1851, 37·8; 1859, 40·0. Staffordshire, 1851, 39·7; 1859, 42·1. Wales, 1851, 18·8; 1859, 15·1. Durham and Cumberland, 1851, 30·9; 1859, 24·3. Bristol and Plymouth, 1851, 35·9; 1859, 38·0. Hull, Yarmouth, and Ipswich, 1851, 46·7; 1859, 42·9.—In the whole ten districts, 1851, 35·1; 1859, 33·9.

It thus appears that the public schools have gained but slightly on the private, and that in some parts of the country the reverse has been the case. This has happened in four out of the ten specimen districts selected by us.

The position of the teachers of private schools, in relation to the Government grant, is a point of considerable importance. They complain that the tendency of the interference of Government is to give a monopoly to a particular class of schools. In our opinion the complaint is well founded. We think that the assistance given by the State to education should assume the form of a bounty paid upon the production of certain results by any person whatever. We consider it unfair to exclude the teachers of private schools from a share in this bounty, if they can prove that they have produced the result. We shall, therefore, recommend that they be admitted to a share in the public assistance, but subject to the condition that the school shall be perfectly ventilated and drained, and shall afford accommodation at the rate of eight square feet, at least, for every child in attendance, and that it be open to inspection, and be not reported on unfavourably by the inspector. The effect of this condition would be to exclude the objectionable class of schools which we have just been describing, and indeed most

of the existing private schools, from any share in the grant; but it appears probable, and we think it desirable, that the prospect of obtaining a share in it may induce a superior class of persons to adopt the calling of a private teacher as a regular profession, and to invest money in the erection of suitable buildings. A cripple may not usually make a good teacher; but if he has a natural aptitude for teaching, and can obtain a proper place to teach in, it would be hard to prevent him from doing so, or to adopt a system which would place him on an unfavourable footing with respect to other teachers. The great popularity of private schools affords another reason for supporting them. The parents, as we have already said, often prefer them, because they think that the pupils are more respectable, that the teachers are more inclined to comply with their wishes, that the children are better cared for, and that they themselves, in choosing such schools for their children, stand in an independent position, and are not accepting a favour from their social superiors. These are natural grounds of preference, and it would be rash to say that they are always unfounded.

The character of the teachers would be much improved if they were allowed to obtain certificates of competence to teach, analogous to a university degree. We recommend that, in order to promote this object, the examinations for certificates be thrown open to all persons who have kept a private elementary school for three consecutive years, and can produce satisfactory testimonials as to their moral character from ministers of religion or magistrates who have known them during that period. The effect of these measures will be to raise the character of private schools and teachers, and to impress upon the calling a character of permanence and respectability.

§ 2.—*Pupil Teachers.*

No general system for training teachers of elementary schools existed in this country before the beginning of the present century. Such a system was not to be expected when the number of elementary schools was very small. When the first efforts to improve popular education were made, the want of a class of trained teachers was felt. Dr. Bell and Mr. Lancaster tried to supply this want by using the elder children as teachers of the rest, and this was the origin of the monitorial system.

It was supposed that the objects aimed at in elementary schools might be attained by carrying out precise instructions, framed with something of the strictness of military drill. "The system," as it was emphatically called, was supposed to be capable of being learnt by any one who attended for that purpose, for a few months, or even weeks, at a National or British school.

"The necessities of past times," said Mr. Allen, in 1845, "familiarized people to the notion that a few weeks' attendance at an organized school, where what was called the 'national system,' might be learned, was sufficient to transmute a decayed tradesman, with some knowledge of writing and accounts, into a national schoolmaster." Those who were engaged in the superintendence of these establishments were deterred from making a better provision for the wants of the country, by the difficulty of finding suitable pupils, the great expense of training them, and the low conception which prevailed throughout the country as to the qualifications to be required of the teachers of elementary schools.

Before the attention of Government had been directed to the subject of

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popular education, many schools conducted on the monitorial system had been established in different parts of the country; but the first important result which was obtained from the inspection of the state of education in the years 1839-46 was proof of the inadequacy of the monitorial system, and of the inefficiency of the teachers who were then in possession of the schools. The unanimous testimony of the inspectors was that the teachers were bad, and that the monitors, from their extreme youth, were of little use. They were fit only for the discharge of routine duties, and even these they discharged without interest, without weight, and without authority. They were frequently untrustworthy, and almost always ignorant. The consequence of this was that the schools were generally in a deplorable state in every part of England. The great naval school at Greenwich, being supported at the public expense, and having the advantage of a long and constant attendance of pupils, was nevertheless utterly inefficient. The Lower School at that time contained about 400 boys, divided into eight classes. There were only two masters for the whole number of boys, and two monitors for each class. The monitors "were able to read and write decently, and had advanced in arithmetic as far as fractions; but their knowledge of the meaning of words was very imperfect, and when called upon, during the examination of the lower classes, to assist in explanations, or to point out errors, it was not found that they were in any degree competent or capable of anything more than giving aid towards the mere mechanical process of reading." "Of the 86 boys present in the fifth class," at the time of Mr. Tremeneere's inspection, "five who had been at the school from one year to one year and ten months were unable to read. In the fourth class, three who had been at the school from a year to eighteen months, and in the third, class eight who had been in the school from two to three years, could not read. Sixteen who had been there a similar time could only read imperfectly. Of the 350 boys, the average number present at one time at the school, those who could write small hand on paper were 79 boys of the first class, and 34 out of 74 in the second." When a great public institution, abundantly supplied with money, was so ill provided with teachers, the state of schools in the remoter parts of the country may be imagined. It may be stated generally that all the inspectors declared that the best teachers were ignorant and unskilful, though they were often well-meaning and serious-minded men, and that the inferior and more numerous class of teachers were unfit for their position, and unqualified to discharge any useful function in education.

It was to supply these defects that the Committee of Privy Council, by its minutes of 1846, laid the foundation of the present system of pupil-teachers, training colleges, an certificated masters and mistresses.

The general character of the provisions contained in these minutes in relation to the present subject may be stated very shortly. They were intended not only to supply the elementary schools with teachers superior in training and experience to the monitors upon whose assistance they were formerly dependent, but also to provide the training colleges, by degrees, with a constant supply of pupils of a superior quality to those who were to be had before the pupil-teacher system was brought into operation. The institution of Queen's scholarships carried the pupil-teachership a step further, and the common examination to which all Queen's scholars were subjected introduced a considerable degree of uniformity into the course of instruction given in the various training colleges which were rapidly

established, with the assistance of Government grants. The plan of granting certificates to masters upon an examination, the subjects of which were prescribed by Government, completed the system, which thus forms a connected whole, from the first apprenticeship of the pupil-teacher to the attainment by the certificated master or mistress of the highest rate to which either may ultimately rise after being settled in charge of an elementary school.

Some time was necessarily consumed in bring this system into full and general operation, but during the fourteen years which have passed since its commencement, its growth, its character, and its results, have been carefully watched in all their stages by her Majesty's inspectors of schools, nor is there any subject on which they have given such full information. In order to afford a connected view of the results of their observation, it will be necessary to state the substance of their reports upon each stage in the history of trained teachers, from their account of the first selection of the apprentices, down to their final estimate of the merits of the certificated teachers in actual employment.

The first step to be noticed in the career of the pupil-teachers is their selection. Partly by an examination before the inspector, and partly by certificates from the clergyman and managers in schools connected with the Church of England, and from the managers alone in other schools, it is ascertained that their own characters and the characters of their families are such as may be expected to fit them for their situation. Early in the working of the system, Mr. Brookfield gave a minute account of his experience of the practical working of this rule. It was, that in his district there was a close co-operation between the clergy and the inspector, and that the clergy were in the habit of instituting a strict examination into the moral characteristics of the candidates whom they presented. "They are," he says, "the flower of the clergyman's school, perhaps of his parish." "They are," said Mr. Cook, "persons of respectability in the best sense of the word," and he speaks of their conduct in terms equally favourable. Mr. Watkins also speaks, after an experience of seven years, of the conduct of the apprentices as being "extremely satisfactory, and not surpassed by that of any other body of young people in any class of life." In the year (1854) to which this report refers, three only out of 556 had been dismissed for bad conduct.

Mr. Watkins, however, states that the terms offered to the apprentices are not in his district liberal enough to secure the services of the children best suited for the position. For several successive years Mr. Watkins has pointed out that the prospects of a pupil-teacher are unfavourably contrasted with those of an independent labourer or mechanic in Yorkshire, not only in respect to the amount, but in respect to the certainty and also to the time at which his wages are paid. The independent labourer is sure of his wages. The pupil-teacher is dependent on certificates of good conduct and on the result of an examination. The independent labourer is paid weekly; the pupil-teacher annually, and until the expiration of the first year of his apprenticeship he gets nothing. Indeed, the payment is often deferred for a period which sometimes extends to three months longer, as every payment is made directly by the committee of council; and, in consequence of the large number of pupil-teachers, this takes a considerable time. The wages of a pupil-teacher (paid annually) are at the rate of 3s. 10d., 4s. 9½d., 5s. 9d., 6s. 8½d., and 7s. 8d. a week, at 14, 15, 16, 17,

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and 18 years of age respectively; but "boys of 13 and 14 years of age can get from 8s. to 10s. a week in some of the Sheffield trades." Telegraph clerks on the railways earn 10s. and 11s. a week, with the prospect of increase, whilst "other offices, merchants', lawyers', canals, &c., are almost as enticing to young lads, besides the common openings in trade, which in a great part of the district have a higher money value than the situation of a pupil-teacher, have none of its uncertainties, little of its trials, and a present instead of a prospective and conditional payment." But it must not be forgotten that the pupil-teacher, during the whole of his apprenticeship, is receiving an education which fits him for other situations; and the sum paid by Government to the principal teachers for the instruction so given must be taken into account in estimating the pupil-teacher's wages.

Mr. Stewart, speaking of Cambridge, Huntingdon, Bedford, and other adjacent counties, goes further. "In many schools," he says, "no candidates can be found except the managers are prepared to pay 5*l.* per annum to eke out the stipend conditionally offered by the Government," and he gives many individual cases tending to the conclusion that, though the number of candidates for apprenticeships increases, the candidates are not of the best class. Similar complaints are made by our assistant commissioners.

It must, however, be observed that the numbers, even by the admission just quoted, do increase, and that the conduct of the pupil-teachers themselves is favourably described, the preference in this respect being given to the girls over the boys.

The candidate, being selected, remains in the school for five years, and takes part in its teaching, receiving himself instruction from the principal teacher for an hour and a half daily on five days in the week. Almost all the evidence goes to prove that the effect of the presence of pupil-teachers upon the condition of the schools is very beneficial, especially when it is compared with the influence exercised over the schools by monitors. Mr. Cook tells us that, from the first institution of the system in 1846, he observed a marked improvement in schools where pupil-teachers were apprenticed, and that subsequent experience confirmed this observation. In his report for 1851, he stated that, after a very careful comparison between schools in which pupil-teachers were apprenticed and those in which monitors were employed, he found the improvement of the former uniform. In the senior classes of such schools, the master, being relieved from the pressure of acting as sole instructor of the children, was able to teach higher subjects than he could formerly attempt, and to teach them with better results. "The elder pupils," he says, "learn much that was scarcely attempted in former years, and understand much better what was formerly taught upon a superficial and mechanical system."

In the middle classes, which contain the bulk of the children who are in regular attendance, the improvement was more striking than in any other part of the school. All the ordinary subjects—such as reading, writing, arithmetic, and acquaintance with the Scriptures—were taught by the assistance of pupil-teachers to large numbers of children, who did not stay at school long enough to rise to the higher classes, and who would have left monitorial schools with little or no substantial knowledge of the elements of education.

The junior classes are those in which the good effects of the pupil-teacher system are least apparent. As the children in these classes are very young,

and their attendance very irregular, energy and skill are required to deal with them effectively; and as the youngest pupil-teachers are usually assigned to the lowest classes, whilst the difficulty of dealing with those classes is greater than that of dealing with any other part of the school, the system effects less good there than elsewhere. There can be no doubt that this requires correction. The services of the pupil-teachers ought to be so arranged that every part of the school, and especially the younger children, may receive the full benefit. It ought to form part of the inspector's duty to satisfy himself that this has been done.

In 1853, Mr. Cook thus summed up the advantages of employing pupil-teachers:—"They often conduct lessons in reading, arithmetic, and writing from copies and dictation better than many adult teachers of ordinary ability." whilst many of them can teach and examine a large class in grammar, geography, English history, and the subject-matter of books of general information with less waste of time and greater facility of illustration than the generality of untrained masters." Their fault, he observes, are that "they are often too pedantic and too mechanical and too much lost in the routine of school-work," and that "they are apt to fall into the faults of meagreness, dryness, and emptiness, or the opposite and not less mischievous evils of presumption and ostentation."

The evidence of the assistant commissioners is unanimous as to the superiority of schools in which pupil-teachers are employed, and most of the witnesses examined by them were of the same opinion. The objections made to them by the witnesses who differed from the common opinion was that they were too much absorbed by preparation for their own examinations to attend properly to the children, and one witness, who had given much consideration to the subject, added that though the pupil-teacher system was a great improvement on the old system of monitors, the pupil-teachers required constant watchfulness on behalf of the clergy or other school-managers, in default of which they were very apt to become conceited and overbearing.

The education of the pupil-teachers themselves is provided for by the obligation imposed on the principal teachers of instructing them daily for an hour and a half, and is tested annually by the examinations to which they are submitted before their wages are paid. The curriculum through which they have to pass is regulated by the committee of council, which, through the agency of the inspectors, subjects each of them annually to an examination of increasing difficulty. At the end of their course they are expected to be able to read with proper articulation and expression, to be acquainted with English grammar, to be prepared to compose an essay on some subject connected with the art of teaching, to work sums in arithmetic, and to be acquainted with the first two books of Euclid, and algebra to the end of simple equations, if boys; or to be acquainted with arithmetic up to decimal fractions and simple interest, if girls, and with the geography of the habitable world. Prizes are given for proficiency in drawing where suitable means of instruction exist, but acquaintance with this subject is not compulsory.

In order to appreciate the extent of this course, it must be remembered that it has to be mastered between the ages of thirteen and eighteen, by persons who are occupied in the school about five hours a day on five days of the week. To this must be added an hour and a half for their own instruction, and the time necessary for preparation. They are thus engaged

in actual work for at least seven hours daily. The experience of the inspectors and of the masters shows that even in the case of the teachers this is hard work; and fears have been expressed by some observers that for the pupil-teachers, and especially for the girls, it is too hard.

The evidence of some of the inspectors shows that the course through which the pupil-teachers pass is not calculated to develop their intelligence so much as to exercise their memories. Mr. Stewart says that he is satisfied, from the character of the exercises sent up by the apprentices, that "the young persons labour under the disadvantage of having to grapple with an amount of work unsuited for their age, and too extensive for the time they can profitably devote to study." He adds:—"Those who are provided with good memories can retain an immense amount of crude undigested facts, but very few gain from their apprenticeship what is tenfold more valuable, precision of ideas, the power of expressing themselves well in their own language, and the ability to give a sensible opinion on any common abstract question. They become overlaid with facts. Playing on the surface of many subjects, and mastering none, their memory is unwholesomely stimulated, their judgment stunted and baffled." Mr. Matthew Arnold's experience is somewhat to the same effect. "I have been much struck," he says, "in examining them towards the close of their apprenticeship, when they are generally at least eighteen years old, with the utter disproportion between the great amount of positive information, and the low degree of mental culture and intelligence which they exhibit. It would not be fair to attribute this result exclusively to the character of the training which they receive. The general intelligence and refinement which might be expected of children of a superior class are hardly to be acquired in the homes in which they live.

Though such observations as these are entitled to attentive consideration, there can be no doubt that the system is upon the whole excellent. To appreciate its value, the pupil-teachers must be compared with the monitors whom they have superseded, and with the students who were with great difficulty and in scanty numbers collected into the normal schools before 1846. The inefficiency of the monitors has been already described. The utmost extent of the attainments of the students on their admission to the training colleges was an imperfect acquaintance with reading, writing, and arithmetic. The pupil-teachers, on the other hand, have furnished a constant and sufficient supply to all the training colleges, and their acquirements and general fitness for the posts for which they have been selected are best attested by the fact, that only 12·68 per cent. of the total number admitted are removed during their apprenticeship, either by death, failure of health, failure in attainments, misconduct, or other causes, including the adoption of other pursuits in life. Considering the stringency of the tests applied to ascertain the qualifications, moral and intellectual, of each individual in every year of his apprenticeship, this is a most successful result.

Mr. Arnold speaks in his report on the state of education in France, in the strongest terms of the importance of pupil-teachers, whom he describes as "the sinews of English primary instruction," and whose presence in English schools he appears to consider the principal advantage of English schools over those of France.

Of the whole number of pupil-teachers, 87·32 per cent. successfully complete their apprenticeship, and 76·02 per cent become candidates for

Queen's scholarships, which most of them obtain. The 11·3 per cent. who do not become candidates for Queen's scholarships include those who either adopt other pursuits or follow the calling of a schoolmaster without going through the course of instruction given at the training colleges.

These figures enable us to estimate the truth of a prevalent opinion that a considerable part of the public money expended on pupil-teachers is wasted by their failure to follow up the profession for which they are educated.

Even if the failure of the pupil-teachers to continue in their profession were more common, it would not follow that the money laid out in their education was wasted, for it must be remembered that they render year by year services for the salary received, and therefore that their subsequent abandonment of their profession cannot make that expenditure merely wasted money; and it should also be borne in mind that this salary is presumably not excessive, inasmuch as they might earn more in other callings.

The result of the preceding evidence as to the pupil-teacher system is, that though it appears to be one of the most important contributions made to popular education by the administration of the Privy Council grants, its administration is accused of three serious defects. They are:—1. The uniformity of the rate of wages paid to the pupil-teachers in different parts of the country, and their insufficiency in many districts. 2. The great labour imposed upon the pupil-teachers, especially upon the girls. 3. The mechanical character of the training which they receive, and its unfitness to elevate the tone of their minds. The question of wages will be set at rest if our subsequent recommendation to pay all assistance derived from taxation in a single sum, to be disposed of by the managers according to their own views, be adopted. The managers will make their own bargains with the pupil-teachers according to local circumstances.

The labour imposed upon the pupil-teachers can be diminished only by diminishing the length of the school hours. It can hardly be supposed that an hour and a half daily is too much for their own education; and, inasmuch as they are both to teach others and to learn themselves, their course must of necessity be laborious. We shall hereafter adduce evidence to show that it may be desirable to shorten the school hours, and the relief which such a step would afford to the pupil-teachers is an additional reason in its favour.

The mechanical character of the training of the pupil-teachers is probably to some degree inseparable from their position. The constant repetition of the same routine must always tend to cramp and formalize the mind, and this effect is particularly likely to follow where young boys and girls are brought into constant relations with mere children. Something might probably be done to counteract this by exchanging some one of the subjects contained in the present course for others of a more interesting nature. It is an omission in the course that it contains no literary subject whatever, and we think that one of the books of Euclid might be advantageously omitted, and that the pupil-teachers should be required to learn by heart passages of standard English prose and poetry, and to be prepared to repeat portions of them at the annual examination. We think also that whilst the intelligent study of physical geography is of great importance, many of the minuter points which it embraces might be omitted. Learning

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by heart is a most valuable exercise, and is far too much neglected in elementary schools.

§ 3.—*Students in Training Colleges.*

The next step in the career of a teacher after apprenticeship is that of studentship in a training college.

The earliest proceeding of the committee of council was to record their opinion "that the most useful application of any sums voted by Parliament would consist in the employment of those moneys in the establishment of a normal school under the direction of the State." The difficulty arising from differences of religious belief rendered this resolution ineffectual, and the Committee accordingly directed their attention to the distribution of aid from the Parliamentary grant to private societies or individuals who might be desposed to found such establishments.

Of the training schools which were founded before 1846, the Battersea Training School, which is connected with the National Society, and the Borough Road Institution, which is connected with the British and Foreign School Society, were perhaps the most important, and an elaborate account of the original foundation of each, and of the prospects, plans, difficulties, and expedients of its founders, is to be found amongst the reports published by the committee of council. The report on the Battersea Institution was written by its original founder, Sir J. K. Shuttleworth, that on the training school in the Borough Road, by the late Mr. Fletcher, formerly inspector of British schools.

The Battersea Training School was originally intended for the supply of teachers to pauper schools and to schools supported out of the general taxation of the country. It was founded by the private liberality of Sir James Kay Shuttleworth and Mr. Carleton Tufnell, who bore the greater part of the expense from their private resources, and bestowed much time and labour upon the management of the institution. Sir James K. Shuttleworth lived for some time in an adjoining house, and closely superintended its progress.

The principles upon which the school should be established were investigated by its founders, during a journey on the continent, undertaken for that purpose in the summer of 1839. They examined the schools of Holland, in which they observed the advantages arising from the pupil-teacher system. They also paid attention to the schools of the Christian Brothers in Paris, and in other parts of France, and to the normal schools conducted in Switzerland on the system of Pestalozzi. The *écoles mères* of the Christian Brothers are under the management of an organization, the character of which is almost monastic. The Brothers, though not bound by a vow, devote their lives under a rule of celibacy to the education of the poor. The *école mère* furnishes them with a residence during the discharge of their active duties, and with an asylum in sickness and old age. The novices enter about the age of twelve or fourteen, assume the dress of the order, and commence the routine of its observances. As they advance in age, they are gradually introduced to public instruction under the superintendence of the elder brethren; such of them as appear not to be fitted for the vocation, leave it, but those who remain in it arrive in course of time at the full rank of members of the household of the mother school, and pass the remainder of their lives in giving elementary instruction to the poor.

Sir J. K. Shuttlesworth and Mr. Tuffnell were much impressed by this institution, but they appear to have felt that a more useful and available precedent for England was to be found in the normal school of Kruitzzlingen in Switzerland. Its peculiarity was that all its arrangements were calculated to exercise a deep and permanent influence over the moral character of the students. They were constantly impressed not only by the express teaching, but by all the domestic arrangements of the establishment, with the feeling that they were to keep in view the object of educating poor children to be contented and useful in their own sphere of life; and that they were to regard this duty in a spirit of humility and self-sacrifice, and apart from views of personal advancement. In accordance with this view, the pupils were accustomed to a simple mode of life, and to hard manual labour. "Their food was of the coarsest character, consisting chiefly of vegetables, soups, and very brown bread." They passed a great part of their time in cultivating the land for their own subsistence, and did all the work which was required in the building and in the garden.

The Battersea Training School was originally established on this model, in a manor house standing in a large garden near the Thames. Some of the pupils were taken from the Norwood School of Industry, which had been established some time before for the education of pauper and criminal children, and a certain number were sent by private patrons, who defrayed the expenses of their education. No part of the training given was more carefully attended to than the moral discipline of the students in humility and self-denial, as acted on in the school at Kruitzzlingen. A large part of every day was employed in manual labour in the garden, which was brought into cultivation by the students, and, with the exception of a matron who acted as cook, no servants were provided. The teachers assisted personally in such carpenters' and masons' work as was required in the building, and the diet was studiously simple, being provided in great part by the cultivation of the garden.

It will be seen that the views upon which the Battersea Training School was founded differed much from those which influenced the subsequent training schools.

The Normal School in the Borough Road, connected with the British and Foreign School Society, was originally instituted on a very small scale by Mr. Lancaster in 1805, and a few teachers continued to be trained there, in the face of considerable difficulties, till the year 1842, when new normal schools were completed at an expense of upwards of 21,000*l*. The managers did not attempt to keep the pupils in the establishment for any considerable time, nor did they subject them to any special moral training. Their practice was to select as their pupils "only those who by age as well as by character might be ranked among persons of fixed and settled religious principles." They thus assumed that the elements of the students' characters, which they looked upon as most important, were settled before they came into the institution, and confined their attention to furnishing them as speedily as possible with the special knowledge required in their future profession. For this purpose they usually remained in the training schools for periods of from six months to a year, and their employments during that period were almost exclusively intellectual and exceedingly severe. They had no industrial training, and hardly any recreation, their whole time being divided between study and the practice of teaching in the elementary school (containing 650 children in average attendance) connected

with the establishment. The severity of the course is thus described by Mr. Fletcher:—"Proper exercise, and even sleep, are by many of them (the students), sacrificed to study, to an extent which only the briefness of the course renders at all consistent with health. "All are in bed by ten o'clock, and the morning bell rings at six; but many are up at four, and two-thirds at five, for the sake of gaining more time for their preparation of lessons to which the first hour and a half of the ordinary working day is devoted. The application of every other hour of the day is truly described in the table already given, except where 'recreation' is mentioned (*i. e.* twelve to two, and five to six, including dinner and tea); for which private business or the preparation of lessons is, in fact, generally substituted."

There was great difficulty in obtaining suitable candidates for such a course as this, which could be beneficial only where considerable natural aptitude for the profession was combined with great zeal. Most of the pupils, on their entrance, were exceedingly ignorant. The reading of a few was good, and all read with fair fluency, though seldom with correctness or good expression. The writing of about half was good, of one-fourth inferior, and of the remaining one-fourth very deficient. The arithmetic of about one-fourth was good as far as vulgar fractions, about one-half could go as far as compound multiplication, whilst the remainder were ignorant even of these rules. Most of them, however, had a considerable knowledge of the Bible, derived principally from teaching at Sunday schools.

These two schools are specially important, because, though placed under different circumstances, and conducted on different systems, they each had to contend with the same difficulty. This difficulty was that of obtaining pupils who could, by the end of their course, be converted into useful teachers. If they were chosen, as was the case in the first instance at Battersea, at an early age, and subjected to a prolonged course of instruction, the promoters of the scheme had to provide for a large expense, and ultimately produced an unsatisfactory result, as the length of the scholastic training prevented the pupils from acquiring the practical experience which was essential to their usefulness as teachers. Their time had been devoted to the acquisition of knowledge, and not to its communication. The expense of the Battersea Training School when it was full, and there was great difficulty in filling it, was 55*l.* per annum per pupil, of which 25*l.* per head per annum fell upon the promoters of the undertaking,* and the remainder on the patrons of the pupils. On the other hand, the pupils who were educated there were found by experience to be but ill fitted for any of the more trying and conspicuous of the positions which they might be called upon to fill. Though not ill adapted to small rural schools, where they might be under the care and guidance of the clergyman, and where they would be exposed to few of the temptations of life, it was found that they were unequal to "the responsibilities of a large town or village school in a manufacturing or mining district." They had not, and the training which they received could not give to them, sufficient knowledge of the world or strength of character to deal with difficulties, which could be successfully

* Sir J. K. Shuttleworth and Mr. Tufnell expended upon this object "about 750*l.* a year each." Q. 2336-8. Their total expenditure was upwards of 5,000*l.*, of which 1,000*l.* was received from the patrons and friends of pupils; 1,500*l.* was contributed by their own private friends, "with unsolicited confidence and generosity!" and 2,500*l.* by themselves.—*Min.*, 1842-3, p. 278.

met only by masters of mature age and experience. Under the pressure of these considerations, the managers of the Battersea school gradually adopted the principles of the school in the Borough Road, so far as to raise the age of students from fourteen or sixteen to eighteen or twenty years.

This change, however, was surrounded with difficulties no less formidable. In the first place, it was hard to meet with suitable persons, and when they were found, their comparatively advanced age made it necessary that their stay should be short; and as they came to the school in a most uninstructed condition—hardly able to read and write, and “seldom skilful even in the first four rules of arithmetic”—it is obvious that their education for their profession would, at best, be most imperfect, and could not reasonably be expected to exercise much influence on their moral character; and, secondly, the expense was very large, and being incurred rather for general than for local purposes, was not readily supplied by local contributions.

The system of pupil-teachers and Queen’s scholars was intended to meet these difficulties. The pupil-teachers produce a constant supply of candidates for the Queen’s scholarships, whilst the scholarships themselves, and the various grants made to training schools, provide for the expense of training them. The general result has been to ensure to each college in respect of every moderately successful student an annual payment of 48*l*.

There are in England and Wales thirty-four of these institutions, of which all but two (Lichfield and Homerton) are under Government inspection and receive Government assistance. They are vested in trustees, who hold them for the purpose of educating teachers, and are usually connected with central religious societies.

They resemble each other closely in their general nature and constitution. Their officers are, for the most part, the same, namely, a principal, who is generally a minister of religion of the denomination with which the college is connected; and a certain number of tutors, some of whom are lecturers in the receipt of grants of 100*l*. a year from the Government. There are also certificated assistants, who are schoolmasters holding certificates of merit. “The services which they are intended to render consist in perfecting the students by examination, and by the careful revision of exercises in the matter of their oral instruction.”

Practising and model schools are elementary schools attached to the training colleges; in some cases, as at the National Society’s Training College at Battersea, there are both. One, at least, usually is, and always ought to be, attached to each college. The object of the practising school is to give the students practice in teaching and in school discipline. The object of the model school is to afford them, for their future guidance, a pattern of what a school ought to be. The teacher of the practising or model school is an officer of the training college, and is called the “normal master.” It is his special duty to give instruction to the students in the art of teaching.

The local and denominational distribution of the training colleges under inspection is as follows:—There are thirteen Church of England colleges for males. Of these, three are in or near London; the others are at Chester, Durham, Caernarvon, Caermarthen, Saltley near Birmingham, Culham near Oxford, Peterborough, Chichester, Winchester, and Exeter. Of these, Battersea, St. Mark’s, and Caermarthen are the property of the National Society. The Metropolitan is mainly supported by members of

the Church of England Education Society, and the rest are connected with various diocesan boards of education.

There is also a Roman Catholic training college for males at Hammer-smith, and a British and Foreign, or Non-Denominational college for males at Bangor.

There are thirteen training colleges for females only. Of these, eleven are connected with the Church of England; two of which are in London, and the rest are at Durham, Warrington, Derby, Norwich, Bishops Stortford, Brighton, Salisbury, Bristol, and Truro respectively. All of them are connected with diocesan boards, except the Home and Colonial Society's Institution in Gray's Inn Lane. The two remaining training colleges for females are Roman Catholic, and are situated, one at Liverpool, and the other at St. Leonards-on-Sea.

There are four training colleges for males and females jointly. The British and Foreign School Society's Institution in the Borough Road, which, in conformity with the principles of the society, is undenominational; a college at Cheltenham, and another at York, each connected with the Church of England; and a college in the Horseferry Road, Westminster, connected with the Wesleyan Committee of Education.

The total average number of students in these institutions was, in the year 1858—In colleges for males, 752; in colleges for females, 818; in colleges for males and females, 496: total, 2,065,—of whom 1,676 were Queen's scholars. The largest was the Home and Colonial Society's Institution, which contained 172 students. Three other colleges had more than 100 students; one had 90; most of the others had between 30 and 70; and the smallest, the Peterborough college for males, had 15.

There were in 12 of the male training colleges 94 tutors and training masters. The highest number being 14 and the lowest 3.

The Government contributes largely to the maintenance of the training colleges. To the Church of England colleges for males inspected by the Rev. B. W. Cowie, in the year 1859, it contributed 76 per cent. To the Church of England colleges for females, inspected by the Rev. F. C. Cook, it contributed in the same year 70·9 per cent. At Cheltenham the contribution of Government is 94 per cent., at York 89, and at Durham 80. The aggregate income of the training colleges, in 1858, was 94,734*l.*, of which the sum of 50,518*l.*, or 53·3 per cent., was supplied by the Government. In 1859, the proportion supplied by Government had increased to 64·1 per cent. The total expense of building, enlarging, and improving 27 of the colleges was 334,981*l.*, of which 101,641*l.* was derived from Government, and 233,339*l.* from other sources.

Such is a general account of the existing training colleges. There is a considerable degree of resemblance in the courses of instruction which they give to their students. This arises from the fact that the committee of council prescribed the same subjects for the annual examination to which all the students in all the colleges are subjected, as a condition of the grants earned by the colleges on their account. A syllabus of the subjects of examination was first printed in the Minutes for 1854-5, having been prepared by Mr. Moseley, by the direction of the committee of council. It has subsequently undergone revision, principally on account of the suggestions of Dr. Temple, who succeeded Mr. Moseley in the office of inspector of training colleges for males.

In order to explain the principles on which the syllabus was constructed,

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it is necessary to state the substance of Mr. Moseley's views as to the education of teachers. They are expressed in several successive reports between 1848 and 1855. Their general character is as follows:—

The course of instruction given in the training colleges ought to be entirely arranged with a view to the objects for which they are instituted, and for which the State supports them, that of forming good teachers for elementary schools. This is to be done directly by training the students in the art of teaching elementary subjects. It is to be done indirectly by enlarging, strengthening, and storing their minds, so as to enable them to teach with intelligence, force, readiness of application, and fulness of illustration. In the indirect as well as the direct training, the practical object of training good elementary teachers must be kept steadily in view. The public money is not voted in order to give a certain number of young persons a sort of academical education.

Mr. Moseley wished to attain both objects by one process, and he thought that this might be effected by teaching in the training colleges what may be called the philosophy of the subjects taught in the elementary schools:—“Reading, arithmetic, English grammar, English history, and geography,” he says, “as usually treated of in our elementary books, and taught in our schools, . . . are mere statements of facts suggestive of few or no conclusions, and barren of interest;” but these subjects may be studied in such a way as to exercise the highest powers of the mind. A man, for example, who had a really sound and deep knowledge of English history, or of geography, would be able to select for the instruction of very ignorant children matter simple, interesting, and important, and his power of doing so would be increased by the depth and width of his knowledge, because he would thus get a wider field for the selection of his materials, and a more intelligent view of the importance and connexion of different events.

Mr. Moseley also wished the students at training colleges to receive a sort of instruction which would enable them to teach in the elementary schools subjects which, at present, seldom find a place there. He thought that the labouring classes ought to be educated “by teaching them to reason about and understand things connected with their ordinary pursuits.” He did not mean by this that they ought to be taught in school to conduct the common operations of domestic life. “There can,” he said, “be little advantage in teaching children rules for the doing of common things, assumed to be better than those which of their own account they will hereafter follow, irrespective of the reasons of such rules. Better rules, unsupported by reasons, will be almost sure to be discarded by them, when they come to find them opposed to ancient practice and the general usage.” He appears to have thought that the scientific principles which lie at the root of most of the common operations of life, should be so instilled into their minds as to enable them to understand the reason of these operations, and to take pleasure in studying, criticising, and improving them as they grew older. As a step in this direction, he proposed that chemistry should be taught in the training colleges, believing that the elementary books connected with it could “be thoroughly mastered in elementary schools by boys from the age of twelve to fourteen, if taught by a master who himself understood the subject, in the same systematic and persevering way in which Latin is taught in schools of a higher class.”

Thus the course of instruction by which Mr. Moseley wished to cultivate the minds of the students consisted in teaching them in a scientific

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manner, "the subjects proper to elementary instruction," under which he appears to have included reading, arithmetic, English history, and geography, with the addition of chemistry or some other physical or applied science.

He pointed out, however, that these acquirements would not only be of little service, but would even impair the efficiency of the students as teachers, unless they were accompanied by proficiency in the art of teaching. In the absence of this skill, mere knowledge would only set up a barrier between the teacher and the pupil. "Every man," he observes, "must be conscious of a separation made between himself and a less educated man, a separation which enlarges at each step of his intellectual progress, and which is widened to its utmost limits when the relation is that of a child to its teacher, otherwise highly instructed, but who knows nothing likely to interest the child, or has been accustomed to study nothing in the light in which it may be made intelligible to it."

Such, as we collect from the reports of several years, appears to have been Mr. Moseley's theory, as to the course of instruction in training colleges; but in reducing it to practice, many modifications were necessary. There were difficulties in procuring works which treated elementary subjects in a scientific manner. The art of teaching itself was little understood in England, and, above all, the principals of the training colleges and their assistants, who, for the most, had been educated at Oxford or Cambridge, were commonly not prepared to teach with scientific precision any subjects, except classics and mathematics. It was thus impossible that Mr. Moseley's view should be carried out at once, or that anything more than a gradual approach to it should be made. To use his own language, "The training schools were compelled to use, as a means of the student's education, such subjects as there can be found teachers of. The result we seek to obtain must be placed in subordination to the means, and thus in one training school classical studies must continue to be employed, and in another mathematical, for forming the minds of schoolmasters who will never have to give instruction either in classics or mathematics, according as the officers of these institutions may happen to have been educated in the one or the other university, or to prefer the one or the other department of study." With such objects, and on such principles, Mr. Moseley drew up the Government syllabus. Its object is to test the instruction given in a large number of different establishments, to each of which the observations just quoted apply with more or less force. It therefore allows considerable latitude in the subject of study to be selected for the students, but in every training college which regulates its course of instruction by the syllabus, the main features of Mr. Moseley's plan must be preserved; for the subjects are divided into two classes, one intended to form the minds of the students, the other intended to give practical skill in the discharge of their duties as teachers. It is, of course, difficult, and in many instances impossible, to make these two divisions of the course fit into each other in the manner proposed by Mr. Moseley; and thus there must always be a risk of increasing the separation between the educated teacher and the ignorant child, unless pains are taken to prevent the more technical of the two branches of study from being neglected in favour of the other.

The syllabus, however, is so arranged as to furnish precautions against this. It provides for a two years' course; it formerly provided for a course of three years; but the third year was omitted on Dr. Temple's recom-

mentation, as it was found that the students of the third year were not the most vigorous, but the feeblest of the members. It had been hoped that they might be persons "in advance of the rest in enterprise of character and in attainments," and "fitted for some special and important work of the teacher."

The subjects relied upon for the general cultivation of the students' minds are, in the first year, the first four books of Euclid, algebra, as far as quadratic equations, or, instead, that part of the Latin grammar which relates to accidence, concords, genders of nouns, perfect tenses and supines of verbs.

In the second year a choice is given between five subjects, in any one, but in no more than one, of which students may be examined. These subjects are, first, *Physical Science*, which includes the general properties of matter, inorganic chemistry, with the rudiments of heat, light, electricity, and galvanism, and the explanation of the construction and use of common instruments, such as an air-pump, a thermometer, a barometer, a microscope (simple and compound), a telescope, an electrical machine, and a galvanic battery. Secondly, *Mechanics*, including the mechanical powers, and the most common modes of applying them; the accelerated motion of gravity, pendulums, and accelerated force; and questions on simple mechanism occurring in machines which are in common use for domestic, agricultural, or manufacturing purposes. Thirdly, *Mathematics*, including the sixth book of Euclid, with problems in the first four books; the subjects which follow quadratic equations in Lund's edition of Wood's algebra; trigonometry; solution of triangles, use of the tables, use of levelling and surveying instruments; practical problems of trigonometry and surveying. Fourthly, *English Literature*, which includes the history of English literature from Chaucer to Milton, with the addition of certain specified books, passages from which have to be paraphrased and analyzed, whilst questions are set upon the style and subject-matter. It is recommended that the books specified should be read through with the students in short portions, as exercises in language, in illustration of the grammar used in the training school, just as the Greek and Latin classics are read in superior public schools. Fifthly, *Latin*, which includes as much of Yonge's Eton grammar as was not included in the first-year subjects, and the translation of passages from a specified prose and poetical Latin author, with simple grammatical questions founded on them.

It must be remembered that of these five subjects one only is to be taken up by each student, and that the students come to the examination from eighteen different colleges, which are independent institutions, and in which courses of study prevail, differing, within the limits prescribed by the syllabus, to some extent. If, therefore, any sort of instruction calculated to cultivate the minds of the students, and (in Dr. Temple's words) to "give them an idea of what is meant by hard work of the brain," is to be admitted into the course, it seems that the existing syllabus does not contain too large a proportion of such subjects. The number of alternative subjects between which a choice is offered in the second year does not really extend the range of study of individual students. It is intended to meet the cases of different training colleges, and to give the authorities of those institutions an opportunity of directing the students to the subjects which they may consider most likely to fit them for their future career, or in which they may be best able to instruct them. Reference to the scale of marks

will show that care is taken to prevent these subjects from obtaining undue importance in the minds of the students, to the neglect of other subjects more directly connected with school management. The minimum number of marks required to obtain a place in the class list is as follows:—Third class, first year, 300; second year, 350. Second class, first year, 450; second year, 500. First class, first year, 600; second year, 650. Of these, 75 may be obtained by “excellence”* in Euclid, and 62 by “excellence” in algebra or Latin, or 137 in all, which is less than half the number required for a place in the third class. “Excellence” in the second-year subject which may be selected will only obtain 75 marks, or somewhat more than one-fifth of the number required for a place in the third class; on the other hand, a first-class certificate may be obtained by a candidate, who being perfect in the elementary subjects, takes up none of the higher ones in the second year. Besides this, in order to secure a really vigorous study of the subject which may be selected, it is provided that no marks at all will be allowed for papers which fall below the standard of “fair.”

We think that, regard being had to these considerations, it would be unjust to say that this part of the syllabus is too ambitious, or that it prescribes subjects unfit for the purpose of training teachers for elementary schools.

The subjects intended to increase directly the professional skill of the students are those which form the subject-matter of instruction in elementary schools, and differ only in the degree of completeness with which they are taught from the subjects which the students have already studied during their apprenticeship as pupil-teachers. The first of these subjects is religious knowledge, which comprises in the first year the history, chronology, and geography of the Bible, with the text of some one gospel; the text of the Catechism, and of the Morning and Evening Services and Litany, and the scriptural authorities on which they rest. In the second year the Acts of the Apostles and one of the epistles are added. In Church history, the outlines of the history of the Reformation, and of general Church history in the fifteenth and sixteenth centuries are learnt in the first, and the history of the Book of Common Prayer in the second year. The examination in these subjects is confined to training colleges connected with the Church of England, and 100 marks are assigned to them. In other colleges the students are credited, without examination, with a number of marks on account of religious knowledge, proportional to those which they obtain in other subjects. That is to say, their religious knowledge is arbitrarily assumed to equal their secular knowledge.

The second subject is reading. The students are required at the examination to read aloud, “with a distinct utterance, with due attention to the punctuation, and with a just expression,” a passage from Warren’s *Select Extracts from Blackstone’s Commentaries*, Sir J. Herschel’s *Discourse on Natural Philosophy*, or the *Spectator*. The authorities of the training colleges are advised, in a note to the prospectus, to cause the text-books to be read through in short portions, like the classics at public schools, and to question the students in the same manner upon the portions so read. The students are also examined in the principles of grammar, and are expected to parse and to paraphrase passages from the books used for reading. In the second year they are required to paraphrase and to analyze a passage

* The marks are either for “excellent,” “good,” “fair,” “moderate,” or “imperfect,” with proportionate numerical values.

from works named beforehand (in 1860 the first book of *Paradise Lost*, and Shakspeare's play of *Julius Cæsar*), and to answer questions as to their style and subject-matter. Each student is confined to one of the two.

In penmanship the students are required in each year to write specimens of the text-hand and small-hand used in setting copies.

In arithmetic they are called upon in the first year to prove the usual rules from first principles, to compute, and to make (with a knowledge of the principles) simple calculations in mensuration. In the second year they are examined in the use of logarithms, compound interest, and annuities, and methods of teaching arithmetic.

In geography they are required, in the first year, to describe and draw the map of the four quarters of the globe, and the map of each country in Europe, and to answer general questions on the physical, political, and commercial geography of one quarter of the globe. In the second year they are examined in the physical, political, and commercial geography of the British empire, and in elementary propositions in geography which depend upon astronomy for explanation.

In history, the first-year subject is the outlines of English history. In the second year a paper is set, composed of five sections, each of which contains at least five questions. The sections relate to periods ending with (1) the battle of Hastings, (2) the battle of Bosworth, (3) the death of Charles I., (4) the death of Queen Anne, (5) 1815. Each student is confined to some one section, and the paper is so set as to be capable of being answered out of any one of the standard histories of England.

In each year there is an examination in drawing, and also in vocal music, for such students as have given proofs of their proficiency in those arts.

Besides these subjects there is in each year an examination in school management. In the first year the students are required to answer in writing questions as to the expedients to be used for the purposes of instruction in elementary subjects, and to draw up time-tables for use in schools in given circumstances. In the second year the student has to teach a class in the presence of the inspector, and to answer questions in writing on the methods of organizing an elementary school, the mode of keeping school registers, and on moral discipline.

The syllabus for the female colleges resembles the syllabus for the male colleges, but its subjects are fewer and easier. None of the subjects noticed under the first head as being intended for the general refinement of the students' minds are contained in it. It is composed exclusively of subjects taught in elementary schools, and these second-year papers differ from those of the first year only in difficulty. The subjects are religious knowledge, writing, English language, grammar, and literature, including the classification and inflection of words, the analysis of simple sentences, syntactical parsing, and paraphrases, the examples being taken in the first year from the 5th book of Cowper's *Task*, or from Goldsmith's *Traveller* and *Deserted Village*; and in the second year from the 1st book of *Paradise Lost*, or the 1st book of the *Excursion*. Repetition of passages from those books is also required. There is an examination in school management similar to that which takes place in the male training colleges, and a similar but less extensive examination in English history, geography, and arithmetic. Drawing and music stand upon the same footing as in the male colleges. One subject is peculiar to the female training colleges—domestic economy.

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The same paper is set for both years, but answers to questions on the first four subjects only are required from the students of the first year. The subjects are clothing, food, cooking, laundry, the duties of servants, household expenses of a labouring man and his family, savings banks, the nature of interest, and practical rules, personal and domestic, for the preservation of health. Exercises in sewing and cutting out are also required in each year.

The following is the scale of marks allotted to proficiency in the various subjects :—

		First Year.		Second Year.		NOTE.—“The minimum number of marks required to obtain a place in the Class List is as follows :—	First Year.	Second Year.
		Good.†	Failure.	Good.†	Failure.			
Religious Knowledge	{ The Bible ... Liturgy, Church History, &c. }	60 } 40 } 100	{ * — }	60 } 40 } 100	{ * — }	Third Class... Second Class ... First Class ...	300 450 600	350 500 650
Arithmetic	...	60	*	60	*			
Grammar and English Language	...	60	*	60	*			
School Management	...	60	*	60	*			
Reading	...	60	*	60	*			
Spelling	...	—	*	—	*			
Penmanship	...	60	*	60	*			
Report on Class Teaching	...	—	—	100	—			
History	...	60	—	60	—			
Geography	...	60	—	60	—			
Drawing	...	50	—	50	—			
Music	...	50	—	50	—			

The examination held in accordance with this syllabus is only one element towards determining the rate of the certificate given by the committee of council. The certificate is not finally issued till the teacher has been in charge of an elementary school for two full years, and its rank is then fixed with reference to the practical skill shown by the teacher in that situation. It is to be observed, however, that the examination alone fixes the maximum grade of the certificate. No amount of skill can raise the certificate at once above the grade obtained in the examination, though the want of it may reduce it to any extent.

The training colleges give instruction calculated directly to increase the practical skill of the students in school management, by means of lectures on the art of teaching, by practising schools, and model schools. Practising and model schools are elementary schools attached to the training college, the latter always under the care of a certificated teacher, called the “normal master,” who is one of the officers of the training college, and who usually gives lectures to the students on the art of teaching. Dr. Temple’s experience led him to think that they were usually too ambitious; that the lecturers were too much in the habit of attempting to deduce practical rules for teaching from metaphysical theories about the nature of knowledge and the constitution of the mind. He considered the principal immediate value of the lectures to be, that they led the students to think about their future duties; but he added that he “was repeatedly told by

* Excludes candidates from a certificate, and cancels all claims arising out of any previous examination.

† “Excellent” is in every case 25 per cent. above “Good.” Between “Good” and “Failure” are the grades of “Fair,” “Moderate,” and “Imperfect,” with proportionate numerical values.

schoolmasters, that they had never fully understood the normal lectures till they began to work in schools of their own, and that their old notes had then become of the greatest value in guiding all their labours."

The practising schools are elementary schools in which the students teach; each of them is required to pass a certain part of his time in giving lessons. The model schools are schools which are supposed to be models of what an elementary school should be. To some of the training colleges both practising and model schools are attached, but in most cases one school has to serve both purposes. Dr. Temple justly observes that practising schools can hardly ever be good model schools, on account of the constant change of teachers, which greatly interferes with the progress of the pupils, and also because they labour under precisely the opposite difficulty to that which usually affects elementary schools. In most cases there are too few teachers. In practising schools there are too many; and thus the students have no opportunity of learning the expedients of which they will stand in need in their future occupation.

It appears to follow that practising schools are open to two serious objections. Any bad habits which the students may have formed in the course of their apprenticeship are likely to be confirmed, and the interests of the children are almost inevitably sacrificed to the instruction of the students. Model schools, on the other hand, must always be useful in proportion to their efficiency and the goodness of their arrangements.

It is important that where there are practising schools they should be attached to the training college. In some cases the students are sent to practise teaching at a neighbouring elementary school which has no connection with the training college. Where this is the case, the teaching at the elementary school suffers, and, as its principal teacher is independent of the training college, there is no security for the proper instruction of the students.

In addition to these, which are the ordinary means of instructing the students in the art of teaching, there are in many of the colleges what are called "practising or criticism lessons," in which the students have to give lessons to a class of children in the presence of the normal master and the other students. After the lesson has lasted twenty minutes the children are withdrawn, and the normal master criticises the lesson before all the students, and points out in detail its observance or neglect of the rules of good teaching. "This exercise," says Dr. Temple, "when well managed, is one of the most effectual that can be devised."

In training colleges for females the practical instruction in the art of teaching is similar to that which is given in training schools for males, though with some differences. Mr. Cook, the inspector of Church of England female training colleges, describes it as follows:—

"The quantity of time which ought to be employed in learning the art and practice of teaching will be better estimated by reference to the system now adopted with more or less completeness in all the female training colleges.

"1. Each student is made to observe an entire course of lessons in every elementary subject. She takes notes of all that she observes. She has to state how far the method of teaching agrees with that which she has learned as pupil-teacher, or in what respects it may differ from it. The reason why any special method is adopted is carefully explained by the lecturer or professor charged with the superintendence of the practising

schools: This course occupies a considerable time; not less than three months, and, indeed, ordinarily six months, when it is thoroughly done. The entire value of the course depends upon the care, the thoughtful earnestness of the student and her instructor. If her mind has another object, little or no impression is made. I doubt very much whether such an allotment of time is seriously attempted in colleges where they have made up their minds to train one year students.

"2. Every student having thus learned the system to be pursued conducts a series of classes through an entire course of instruction in each elementary subject. Where the teacher of method does the work efficiently, it implies all the following processes:—The student must give in a written account of what she intends to do each day; she must previously be well informed as to the circumstances of the class, the age, character, and attainments of the children; while she gives the lessons she must be watched constantly by a junior student occupied in taking notes, and she ought to be, and generally is, superintended at intervals by the teacher of method. After the lesson she must be criticised, her mistakes must be corrected, and she must be made to feel exactly in what respects she has satisfied or fallen short of the requirements of the institution. All this requires much time, much patience; and it certainly will not be done unless all parties concerned are equally convinced of the practical and paramount importance of professional training."

Such is the general nature of the course of instruction both in reference to the Government examination and in reference to practical skill in teaching given in the training colleges.

But we feel bound to state that the omission of one subject from the syllabus and from the examination papers has left on our minds a painful impression. Next to religion, the knowledge most important to a labouring man is that of the causes which regulate the amount of his wages, the hours of his work, the regularity of his employment, and the prices of what he consumes. The want of such knowledge leads him constantly into error and violence destructive to himself and to his family, oppressive to his fellow workmen, ruinous to his employers, and mischievous to society. Of the elements of such knowledge we see no traces in the syllabus, except the words "savings banks and the nature of interest" in the female syllabus. If some of the time now devoted to the geography of Palestine, the succession of the Kings of Israel, the wars of the Roses, or the heresies in the early Church, were given to political economy, much valuable instruction might be acquired, and little that is worth having would be lost.

In the preceding pages reference has been made more frequently to training colleges connected with the Church of England than to those of other denominations, because they are the only class which is sufficiently numerous to occupy the whole time of any one inspector, and to include a number of different specimens sufficient to enable him to form general conclusions. It was, moreover, from the experience acquired in inspecting them that Mr. Moseley deduced the principles on which the present course of examination was framed. The inspection of the other training colleges forms part of the duty of the inspectors connected with the denominations to which they belong; their reports for the most part consist of accounts of the state of the individual institutions, and of the proficiency which the students have from time to time exhibited in particular subjects. There are, however, some differences of principle in the manner in which these establishments are conducted, which it may be desirable to notice.

In the Wesleyan Training College the religious character of the students is made a subject of special attention.

The Roman Catholic training colleges have also methods peculiar to themselves for forming the character of the students, especially of the female students, of whom a large proportion become members of religious communities. These methods are of a spiritual nature, and are rather alluded to than described by Mr. Marshall, the Inspector of Roman Catholic Schools.

Such is the course of instruction given in the training colleges considered in reference to its two principal objects: preparation for the annual Government examination, and the acquisition of practical skill in teaching.

An opinion appears to prevail that the principles upon which the course of teaching in the training colleges is framed are unsound. This is based upon a general impression, which appears to us to be founded on fact, that the teachers do not in fact teach as well as they should. Other causes account for this to a great extent, but the course of instruction given in the training colleges must have something to do with it.

The objections taken to the course of instruction are that the standard which the Government system sets up is higher than is requisite for the teachers of elementary schools; that the education which the students receive tends to make them conceited and showy, and that the instruction given has a tendency to degenerate into mere exercises of verbal memory. These objections are often summed up in the assertion that the students are instructed, not in the art of teaching, but in matters which, whether important or not, are not essential to it.

We have already affirmed the principle that the success of the training colleges ought to be estimated exclusively by the degree in which they succeed in producing schoolmasters and mistresses skilled in their proper calling; but in order to estimate fairly their success in this, it is important to ascertain what is meant by the art of teaching.

It contains two distinct branches; the one entirely technical and matter of practical arrangement and detail, the other more important, and less definite. The first branch of the art of teaching consists of everything that refers to the organization of a school, such as the arrangement of benches, the size of classes, the construction of time-tables, by which different lessons are appointed to follow each other in such an order as to economize the time of the scholars and the trouble of the teacher, by keeping of registers, and other matters of the same kind, which are important to the practical efficiency of a school. Instruction in them is rather a matter of routine than a study which can produce much mental effect.

The second branch of the art of teaching has reference to the manner in which the teacher imparts knowledge to the pupils. It consists in skill in simplifying the matter of instruction, so as to adapt it to the minds of the children, in placing it before their minds when so simplified, and in fixing their attention upon it, and in ascertaining that they have actually mastered it.

Of these two branches of the art of teaching both are necessary, but each is not equally capable of being taught. The first, of course, may be taught like any other definite process, such, for example, as military drill, or the mode of working sums according to definite rules, but it is a process which, however necessary to a teacher, can be learnt at an elementary school as well as at a training college. If this were the principal thing required of teachers of elementary schools, it would be a waste of time and money to

support training colleges, and to maintain students in them, for the sake of learning it. Under the present system as much instruction is given on this subject as is required, by persons who are already familiar, from five years' experience as pupil-teachers, with the details of school management. And after this instruction has been received, sufficient time remains for other studies.

The objection under consideration must, then, refer to the second branch of the "art of teaching," that, namely, which consists of skill in bringing children to attend to and to understand the instruction afforded to them. This is not, like the first, a matter of definite rule. No precise instructions can be given as to the manner in which it is to be accomplished; skill in it is derived partly from practice, partly from natural taste and fitness for that occupation, together with sympathy for children, but these being equal, it depends upon general intelligence and refinement of mind. The principal difficulty in teaching children is to put before them what they are required to learn in a clear, simple, and lively manner. Simplicity, clearness, and liveliness depend partly upon fulness, but to a greater extent upon general cultivation of mind. A person who has been accustomed through life to refined and intelligent society will express himself with greater simplicity and liveliness than another possessed of equal natural abilities and equal acquired information who has had fewer social advantages. It is matter of constant observation that when persons of superior social station take part in elementary education they have a great advantage over all other teachers, if they are possessed of sense and judgment. The importance of the influence of clergymen and their wives in parish schools is well known. Ladies are admirable teachers for evening schools, and Mr. Marshall, the inspector of Roman Catholic schools, speaks in terms of enthusiastic praise, coloured, perhaps, by a pardonable exaggeration, but obviously called out by a real object, of the advantages which schools of this denomination derive from the female teachers, who are of higher social rank than common schoolmistresses, and who enter upon their duties from religious and charitable motives.

The faults which are usually, though somewhat vaguely, ascribed to certificated teachers, and which are supposed to arise from too high a training, are, in fact, to be ascribed to the opposite cause. They arise, not from over refinement, but from vulgarity. The use of ambitious language, vain display of knowledge, the overlooking what is essential and elementary, a failure to see what it really is which perplexes a child, are the faults which an educated person avoids, and into which an uneducated person falls. In so far as the trained teachers are justly chargeable with these defects, it is because their training is defective, not because it is excessive. They are not the faults of persons who have enjoyed greater social advantages. So far as they are connected with training, they are to be attributed to its insufficiency. So far as it goes, training is useful. Trained teachers may be vain or conceited, but the absence of training shows itself in confusion, obscurity, and an unintelligent adherence to rules of which the principles are unknown. The effect of discontinuing the efforts made by the training colleges to raise the general mental level of the students, and to excite the higher powers of their minds, would not be to make them simpler and more practical, but to leave them in the state of helplessness and conceit which is natural to a person who has learned routine and nothing else, and never been taught to appreciate the existence of a higher standard

than his own. If it were possible to take the students from a different class of life, or to submit them to a longer course of instruction, embracing fewer subjects, but acquainting them more deeply with those selected, they would probably acquire greater clearness of mind, and liveliness of expression, and would so be better fitted for teaching. This is Dr. Temple's opinion. "I think," he says, "that it would be far better if you could get schoolmasters with less knowledge and more education, which is what is commonly meant by people who ask for what they call a lower standard, but it really is a much higher standard." To obtain this higher standard by the means thus indicated is, for the present, out of the question. The expense would be too great, even if the persons were to be found, but the training given in the training colleges is a step in the direction desired.

The defects of the trained teachers in so far as they can fairly be connected with the course of instruction at the training colleges, appear to result not from the fact that the syllabus contains a certain proportion of difficult subjects, but from the mode in which, under the pressure of the syllabus, all the subjects are taught, and from the amount of detailed information relating to elementary subjects which the students are expected to acquire. The preparation of the syllabus must always form part of the duty of the Central Office, which will naturally have regard in the discharge of that duty to the experience, to the wishes, and to the resources of the authorities of the training colleges. We do not therefore feel ourselves called upon to recommend a new syllabus, but we think it desirable to express our opinion as to some of the principles upon which the syllabus should be framed, and with reference to which, modifications of it should from time to time be made.

The duty which the trained teachers have to perform in the actual exercise of their calling consists in preparing the children of the poor for their future life by appropriate religious and moral instruction and discipline, by teaching them to write, to read their own language with interest, and with an intelligent perception of its meaning, and to perform common arithmetical operations. It is only exceptionally that some of them will have to give, in other branches of knowledge, such instruction as the more advanced age of their pupils and the regularity of their attendance may fit them to receive.

We agree in Mr. Moseley's opinion, that even when the instruction to be given is elementary, considerable cultivation on the part of the teacher is required. We also agree in his opinion, that this makes it desirable that subjects calculated to rouse the intelligence of the students should be introduced into the course of study at the training colleges: and we think that the plan of appointing alternative subjects so as to suit the convenience of different institutions and the aptitudes of different students, is a good one; and we approve of the rule which confines each student to one subject. So far we approve of the existing syllabus; but we think that the subject chosen for the purpose of developing the mental powers of the students, whatever that subject may be, can hardly be studied with profit, unless it is studied continuously and progressively throughout the whole of the two years of which the course consists. It appears, that in Church of England training colleges, physical science or mathematics is usually selected from the five alternative subjects in the second year. It may be doubted whether much mental benefit is likely to be derived from either of these studies, unless time is given to them enough.

to enable the student to obtain a thorough knowledge of some of their more important principles; and considering the great number of other subjects embraced in the course, we think it unlikely that this should be done in that part of the second year which is not occupied by other matters.

We also think that the present list of alternative subjects omits some which are so important that the question whether they should not be made compulsory in all cases, at the expense of sacrificing some of what we have described as the elementary subjects, well deserves the attentive consideration of the framers of the syllabus. These are the principles of physiology in so far as they are necessary to explain the rules which affect the preservation of health, and, as we have already remarked, the principles which regulate employment, wages, and expenditure. Some knowledge of these subjects is already required of female candidates for certificates. They are examined in the first year upon domestic economy, under which head questions are asked as to clothing, food, cooking, and washing; and in the second year, upon the duties of servants, the domestic expenses of labouring men and their families, savings banks, the nature of interest, and practical rules, personal and domestic, for the preservation of health.

There seems to be no reason why the male students also should not be instructed in similar subjects; not only are they of the greatest practical importance, but they are calculated to exercise the mental faculties; and their results may be thrown into shapes readily intelligible to children, and illustrated by practical applications deeply interesting to them.

The manner in which the teaching of elementary subjects, religious knowledge, English history, and geography is conducted is, however, open to grave objection. These subjects, or some of them, are probably indispensable, but the teaching of all of them is liable to degenerate into a mere exercise of verbal memory, and there is strong evidence to show that, in point of fact it does so, and that this is attended with bad results on the minds of the students.

The character of the examination papers issued to the students to some extent confirms this evidence.

We have examined a set of these papers issued for females in 1857, and we are not surprised that they should appear liable to the charge of too great difficulty, when looked at by persons not practically familiar with the ordinary teaching in good elementary schools, and not aware of all the circumstances under which the young women are called on to answer them. Such persons are apt to try them by the test, whether they themselves, unprepared, could answer them. We believe that in practice this objection of too great difficulty is not found to exist. There are on an average four sections in these papers, each of which contains, at least, three questions; the candidates are allowed to answer only one in each section, and three hours are allowed for the paper. The candidates have been previously trained to answer similar questions, and prepared in the subject matters, out of which they arise; so that it seldom happens that any one is unable to select some of them, as to which she has the necessary amount of information. Upon the question of difficulty, we should certainly be slow to intimate any opinion which might interfere with the discretion of those who have far better means than we have of estimating the presumable capacity and acquirements of the candidates; especially remembering that these are questions put to those who are passing into the office of teachers, and who ought to possess more and more varied knowledge than they will be called

on actually to impart to their pupils; and that it is desirable to give to students who have studied the subjects placed before them with minute care, an opportunity of showing that they have done so.

But although we do not acquiesce in the justice of this charge, we cannot conceal our opinion, judging from the specimen above alluded to, that in the character of the questions in every section there is too much of minuteness; too much which appeals to mere verbal recollection, and too little attention to the real importance of the subject matters inquired into. We think that in the questions, whether on Holy Scripture and matters connected directly with religion, or on history, geography, or grammar, it should always be borne in mind that they are addressed to persons who are to be appointed to no higher office than that of teachers of children of the poorer classes.

Mere "cram" is not only useless in itself, but injurious in its effect upon the mind. It overloads and weakens the memory, which in adults ceases to be mechanical, and can be strengthened only by imparting habits of method and arrangement. But, what is much worse, it destroys the intellectual appetite, and makes knowledge an object of disgust.

In regard to music, and the teaching of singing in the training colleges, we have received a communication from Dr. Wesley, the organist, of Winchester, which we think important. He is of opinion that much advantage would arise from a different mode of examining the pupils being adopted, instead of that at present practised:—

"The course, he says, now pursued is to require written answers to a series of questions on the theory of music, and the consequence is, in many instances at least, that in order to succeed at the examinations, the pupils are obliged to slight and neglect the far more useful attainment of practical performance. So little has thorough bass and the theory of composition to do with practical performance, either vocal or instrumental, that it is well known most of the great performers and singers do not study theory at all, know nothing about it, and are never called upon to practise it in any way. Now, considering what are the real objects of the Council with respect to music, it seems obvious that the ready mode of directing the course of both pupils and masters aright is to institute a personal hearing of all pupils, as then their first object will be to attain that proficiency which it was the desire of the Council to promote. Of course, in thus alluding to the theory of composition and thorough bass, I do not mean that pupils should sing without understanding the rudiments or principles of notation. These they should understand thoroughly. They are sufficiently taught in the various musical works made use of by vocal students. It has been observed that such objections to the mode of examination now practised seem obviated by requiring all students, before they are allowed to take the examination papers, to produce a certificate from their master, or the principal, of their ability to sing or play on a musical instrument. To this it may be objected, that a principal or master, by preventing the pupils taking the examination papers, in fact, gives evidence in his own disfavour. He is showing that his pupils are unfitted for their duties, and that they have made no proper progress. To 'sing or play on a musical instrument' is so vague an expression that it may admit pupils of only the least amount of ability, and these may, perhaps, acquire a high position at the examination, from their having devoted their time to thorough bass and theory."

Having thus stated the nature of the instruction given to the pupils in the training colleges, we proceed to describe its results.

In order to estimate fairly these results, it is important to point out what it is reasonable to expect. It is reasonable to expect that the teaching shall have a tendency to enlarge the minds of the pupils, and to give them practical skill in their calling; but it is unreasonable to expect that it will actually produce that effect in all cases, or that it will not fail to produce it in many. It is still more unreasonable to expect that every, or even any, trained teacher will be fitted to stand in a sort of parental relation to some fifty or sixty children, so that their attendance in the school will secure to them not merely certain specific attainments, but a considerable share of

the intelligence and refinement which belong to children brought up by educated parents. Yet this is the sort of effect which some persons appear to expect elementary schools to produce on their pupils, and which the training colleges are supposed to be bound to enable their own students to produce. It is also a common mistake to forget that the students, on leaving the training colleges, are only beginning their profession, and that thorough skill in any calling can be obtained only by practice. A training college can be expected to give its pupils only the power of learning their business. It cannot give actual proficiency in it.

Taking this view of the expectations which may reasonably be entertained respecting the training colleges, the evidence as to their condition, in connexion with the evidence as to the trained teachers actually in charge of schools, appears to us to prove that the training given is, on the whole, sound, though there are several drawbacks to its value.

The witnesses whom we examined with reference to the condition of the training colleges for males were, besides Mr. Robinson, Dr. Temple, Mr. Clark, the principal of the Battersea Training College, Mr. Scott, the principal of the Wesleyan Training College, and Mr. Unwin, the principal of the Homerton Training College.

In answer to a question whether it is sufficiently kept before the eyes of the students that they are to be schoolmasters, and nothing else, Dr. Temple said, "It is so perpetually dinned into their ears that they can hardly forget it;" he added "I have myself, before now, recommended changes rather in that direction, but I think now it would be a great mistake to sacrifice the thorough instruction of the students to any greater amount of practice in their profession."

Dr. Temple was examined at some length as to the extent to which the students really learn the subjects contained in the syllabus. He said that one-tenth do them really well, but that they all show a want of command over their knowledge, that the pressure of the curriculum upon them is so great that they have no time for anything else, but that though this produces in some respects a bad effect on the mind, "it is for the present a necessary evil. It is your only chance in the life of those men to give them a thorough conception of what is meant by work of the brain, and it is really necessary for their profession afterwards."

The following passage from Mr. Robinson's statement is valuable in consequence not only of the intelligence and experience of the writer, but because his sympathies are in favour of the pupils whom he trains, and of the system which he himself administers:—

"I believe," he says, at the beginning of his paper, "that the trained teachers are in the main a valuable and right-minded body, and that the improvement of training colleges has at least kept pace with the increased grants to them. Students in training colleges are all young men. They, therefore, like other students, have the impulsiveness, the thoughtlessness, the passions of young men. Again, they are mostly selected from a class which has been very little in contact with refinement or self-control, or delicate appreciation of what is elevated and honourable. Moreover, though the majority of them have been pupil-teachers, apprentices to a schoolmaster, and under the surveillance of a clergyman, I do not, *as a rule*, find that any particular pains have been taken with their religious training. Taking all these things into consideration, I do not hesitate to say that their general tone and spirit and deportment are creditable. I do not think gross or immodest conversation would be tolerated in their common room. If some of the coarser spirits were inclined to it, it would be checked promptly and sternly by the better men. They do not indeed, as a body, bring with them to the training college a very high sense of honour, but they certainly show themselves capable of being impressed with such a feeling, and when the virtues of manliness, integrity, and truthfulness have been properly urged and illustrated for their benefit, they often respond very encouragingly to the challenge."

Mr. Maurice speaks warmly of the value of the training colleges. He says, "So far as I have been able to observe, the training colleges are the greatest blessings that have been conferred on the land in the last quarter of a century."

Dr. Temple describes the moral condition of the training colleges which have fallen under his observation as not being so good as might be wished, but as incapable of improvement except by espionage, which is out of the question, or by time and patience. We may, however, point out one inconvenience in respect of this matter. When the authorities of the training colleges do their duty by refusing to an immoral student the certificates required by the Government as a condition of the annual grants, they do so at the expense of depriving the college of the grants which it would have received on account of the student if he had passed his examination successfully. They are thus exposed to a distinct temptation to allow a lax state of morals. We do not believe that they do so in point of fact, but the existence of such an inducement is an inconvenience.

As to the views with which the students regard their future calling, Mr. Clark states that "a large proportion of the students take a thoughtful and proper view of their future calling, and that the authorities of the college do all they can to foster it, and that the training schools produce a great effect in the direction of promoting amongst the students a sense that the work in which they are to be engaged is one of great religious importance." Indeed Dr. Temple was of opinion that the effect produced in this direction was greater than was desirable; he considered that by training teachers in a separate institution they got too exalted a notion of their position and of what they have to do, "and they gradually acquire a wrong belief that the work of a schoolmaster is the one great work of the day, and that they are the men to do it." He, however, thought that the separate instruction was rendered necessary by the peculiar nature of the training required.

As to the internal arrangements of the training colleges, we have noticed above the importance which was attached by Sir J. K. Shuttleworth to the moral effects which might be expected to be produced upon the students by the introduction into the colleges of a very plain style of living and a good deal of manual labour. The attempt to enforce this kind of discipline has been almost entirely given up. Mr. Robinson, after referring to the earlier practice, says—"Much less of this kind of work is now required from them, and the change has become absolutely necessary from the increased pressure of their literary and professional studies. Still in most colleges they have some industrial duties to perform, and this is, I think, desirable, as tending to 'check the growth of any 'fine gentleman' airs among them.'" The students have, generally speaking, little time to themselves. Nearly the whole of their day is passed either in lectures, in preparation for them, or in short intervals of recreation. They have little unoccupied leisure, and for the most part pass their time together. There is a considerable general resemblance between the different colleges.

Fears have been expressed that the course of study which we have described is too severe for the health of the female pupil-teachers and students. Lady Macclesfield in her written evidence says, "the training in colleges is extremely overdone, and only those young women who have unusually strong constitutions can bear it." Our attention has been directed to the same subject by Mr. Menet, who has also represented his views on former occasions to the committee of council. The evidence, however,

which we have collected seems to show that the health of the young women in the training colleges is satisfactory. Mr. Baber, the principal of the Whitelands college, speaks strongly on this point, and has repeated and illustrated the opinion given in his evidence, in a supplementary addition to his report; and Mr. Cook examined minutely into the subject in 1856 and 1857, and arrived at the result that the health of the students did not suffer, but on the contrary improved during their training. Both Mr. Baber and Mr. Cook, however, found that a large proportion of the Queen's scholars were in weak health on their entrance into the training colleges; so that, though the impression referred to cannot be said to be correct, it is not without foundation. The evidence seems to show that though the health of the female students may not suffer, the health of the female pupil-teachers does.

As respects the male students, the hours of study, as stated by Mr. Robinson, appear to us too long. They are nine and a half, or, including chapel, ten hours a day, or excluding half-holidays, but including the work on Sunday, sixty hours a week. Again, the time capable of being given to out-door exercise seems small. In winter it cannot be more than the hour before dinner, between twelve and one, and perhaps half an hour after dinner, before the evening lecture, at half-past two. This is scarcely enough. The evil consequences may not show themselves during the two years passed in the colleges, or even for some years afterwards; but we cannot but suspect that over-exercise of mind and under-exercise of body must often sow the seeds of weakness in both.

The circumstances of one or two of the training colleges require specific notice.

The Roman Catholic training colleges, of which there are three—two for females, and one for males—are in a peculiar position. Mr. Marshall, the inspector of Roman Catholic training colleges, informs us that the school-masters of that denomination had been till lately, as a class, "incompetent and unsatisfactory," that they were ill trained, and that, though within the last few years an improvement had taken place, they were even now not what might be wished. He ascribed this to the circumstance that the class of pupil-teachers from which the male training school is almost exclusively supplied with pupils was "perhaps too low socially to admit of any very great improvement."

The female training schools on the other hand are supplied with students of a much higher class, and their teachers, being for the most part members of religious communities, are "immeasurably superior to those who teach the males."

In the male training schools few teachers are connected with religious communities, as the number of men in this country who wish to take monastic vows is small, and of that small number still fewer wish to devote themselves to education.

The Homerton training college, which is connected with the congregational board of education, is remarkable, because it is, with one exception, the only training college in England which is supported entirely by voluntary contributions. The board is opposed on principle to State interference with religion or education, which are in its opinion inseparably connected. Its operations are similar to those of the British and Foreign School Society, but it is connected principally with the Independents, and is so constituted as to exclude Unitarians. The points

in reference to its training colleges which principally require attention are that the age of the students is more advanced (20 to 22 in the case of females, 22 to 24 in the case of males) than is the case in the assisted colleges; that its course of instruction is more extensive and difficult than that which is founded on the Government syllabus; that its expenses (40*l.* per annum per pupil) are not materially less; and that the pupils generally attend for a shorter period, namely, for a year to sixteen months. Indeed it has a strong resemblance in many particulars to the British and Foreign School Society's training college as it was before the introduction of the pupil-teacher system.

We have already observed that the differences between denominations affect the conduct of the managers of elementary schools more than the willingness of the parents to send their children to them. We may add, that these differences bear more strongly on the education of the teachers than on the education of the children. We believe that the managers of training colleges would object even more than the managers of schools to any increase of the interference with them of the Government, and there seems to be no wish that such interference should be diminished. We do not, therefore, propose any change in the relation of the training colleges to the State.

We do not recommend any reduction in the amount of aid at present given to the colleges in various forms. The contributions of the State form at present about 76 per cent. of the total annual income of the Church of England training colleges for males, but this proportion, large as it is, is far from representing the whole amount of public assistance offered to these institutions. It shows what they do earn, but it does not show what they have an opportunity of earning. The terms of the grants made are such that a successful college, conducted with rigorous economy, may derive from the State so large an amount of assistance as to be almost independent of voluntary contributions. Cheltenham, for example, earns 94 per cent. of its income from the Government grant, and York, 89 per cent. These contributions purchase all the authority over them which the Government requires or could beneficially use. The regulation of the syllabus has produced a degree of uniformity in their management which could hardly have been expected *à priori*, and by altering it as occasion may require, the committee of council can modify the character of the instruction given to all the certificated teachers in the kingdom in every point except those which are peculiar to different religious denominations, with which it has no wish to interfere.

It is not alleged that the administration of the training colleges is extravagant. The facts prove the contrary. Sir J. K. Shuttleworth's expenses at Battersea amounted to about 50*l.* per pupil; the expenses of the Homerton college, which is unassisted, are 40*l.* 7*s.* 9*d.* per pupil. The average of the 33 colleges is a little more than 45*l.* Of the 14 Church of England male training colleges, Caernarvon was the cheapest, costing 30*l.* 15*s.* 3*d.*; and Peterborough the dearest, costing 67*l.* 9*s.* 1*d.* for each student. This difference is no doubt due partly to the difference in the expense of house-keeping in different parts of the country, and partly to the fact that some colleges are better supplied with students than others. At Peterborough, for example, there were only 15 students. At Caernarvon there were 40. Six other colleges besides Caernarvon were conducted at less expense than Homerton, namely, Cheltenham, Chester, Chichester, Exeter, Culham, and

York. Their expenses varied from 35*l.* 16*s.* 5*d.* at Culham, to 39*l.* 16*s.* 11*d.* at Cheltenham. From this it follows that even if the public paid the whole amount required by the training colleges, it would get full consideration for its money.

It may be asserted that though the money is well spent, and though the relation between the Government and the training colleges is satisfactory, the assistance given discourages private liberality, and that the withdrawal of a part of it would be compensated by an increase of private subscriptions. We do not agree with this opinion. It appears probable that considerable difficulty would be found in obtaining subscriptions enough for the support of these institutions. Private benevolence usually operates rather to relieve the evils which directly excite sympathy and attract attention, than to prevent their occurrence by contributing to the removal of their remote causes. It is possible to reckon with confidence on the pity which persons of comparative wealth will feel for gross and helpless ignorance, or for the sufferings produced by disease or accident, when they are forced upon their attention by their proximity. Hence arise the funds from which churches, hospitals, and elementary schools are built; but the education of clergymen, physicians, and schoolmasters must be provided for from other sources. An institution which produces good teachers may be the most efficient of all aids to education, but it appeals to no sympathy, it relieves no immediate distress, and it accordingly obtains subscriptions with difficulty. The early history of the Borough Road and Battersea training colleges proves this. Each of them languished till it could reckon on permanent support from Government, and it was no wonder that it did so.

It would no doubt be a good thing if these institutions were supported by voluntary liberality without public aid, but some conveniences are incidental to the present state of things. No other institutions stand so much in need of a permanent income, and of a considerable degree of Government supervision, which, of course, can be had only at the expense of Government grants. To ascertain and to regulate the principles on which teachers should be trained is a difficult process, and requires the light of long and varied experience. If every training college was self-supporting, and was entirely regulated by its own subscribers or committee, they would vary far more than they do now, and would lose the great benefits which they at present derive from the common course of examination imposed upon the students by the syllabus, and from the experience which the inspectors derive from their annual visits, and make public in their reports.

As we have already observed, the first resolution (dated on the 3rd June, 1839) of the Committee of Council for Education, was as follows:—

The committee are of opinion, that the most useful application of any sums voted by Parliament would consist in the employment of those moneys in the establishment of a normal school under the direction of the State, and not placed under the management of a voluntary society. The committee, however, experience so much difficulty in reconciling conflicting views respecting the provisions which they are desirous to make in furtherance of your Majesty's wish that the children and teachers instructed in this school should be duly trained in the principles of the Christian religion, while the rights of conscience should be respected, that it is not in the power of the committee to mature a plan for the accomplishment of this design without further consideration; and they, therefore, postpone taking any steps for this purpose until greater concurrence of opinion is found to prevail.

It appears to us that the experience of the last twenty-one years has furnished a practical solution of the difficulties referred to in this resolution, which constituted the only reasons given by the committee of council for

foregoing the establishment of "a normal school under the direction of the State." Under the combined influence of private liberality and Government assistance, the relation between the Government and the denominations has been adjusted to the satisfaction of both parties. There is no question as to the subject-matter of the education to be given, or as to the degree of Government interference which is admissible. With the single exception of institutions for training infant school mistresses, the training colleges are sufficient for the wants of the whole population, and not only do supply them at present, but will be capable of supplying them permanently. As the matter is thus substantially arranged on both sides, there seems to be no reason why the public, which derives much benefit from these bodies, should not contribute liberally towards their support. They are under strict supervision and inspection, and are neither too large nor too numerous for central supervision. It would, therefore, seem desirable that the grants made to them should continue on their present footing.

In support of this opinion we refer to the evidence of Mr. Robinson, and to the last report of Mr. Cowie, the inspector of Church of England training colleges for males. Mr. Robinson says of the York College, of which he is the principal—"I do not hesitate to say that the withdrawal of even a very moderate proportion of the amount now received from Government, say twenty per cent., would seriously embarrass this training college, and probably compel us to reduce our machinery to a point below efficient working order, or possibly to shut up altogether."

Mr. Cowie, who considers the rate at which the aid to training colleges has increased as a matter of anxious consideration, examines at length the different items of which the assistance given is composed. The general purport of his report is that for the present any material reduction is impossible, though he hopes that in the course of time the prospects of trained teachers may be found to be sufficiently attractive to enable the training colleges to charge the students themselves with part of the expense of their education. This remote prospect appears to him to be the only source from which the training colleges can expect additions to their income which would enable them to dispense with any part of the grants which they at present derive from Government. He says: "In making inquiries as to the possibility of the Government aid being limited or reduced, I have been guided by the consideration, that as the position of the schoolmaster is one which has gained an honourable estimation, and is one of independence at an early age, it cannot be necessary, as a permanent rule, that the expense of securing it should be defrayed by the State." In another place he observes: "These institutions have all passed through a financial crisis, and are only now emerging from it. It has been found extremely difficult to get voluntary public support for them; it is only from the farsighted and reflecting that such aid has been procured for an object not immediately tangible, not immediately beneficial to the schools in which they take an interest."

We may observe that there is no part of the system of popular education on which the incomplete and progressive character of the whole existing state of things has so direct a bearing as on the training colleges. It is possible that arrangements might be made which would induce those who at present refuse public aid upon principle to accept it, and this might add another institution to the number already receiving aid; but subject to this, it appears probable that no more colleges will be required, that no more

than the present number of students will annually leave them, and that no addition to the present number of Queen's scholarships will be necessary. On the other hand, the number of pupil-teachers in the country will probably continue to increase for a considerable time, and thus the Queen's scholarships will gradually become prizes for the more successful pupil-teachers. It is possible that ultimately the desire of pupil-teachers to enter the training colleges may become strong enough to enable the committee of council to diminish the value of the scholarships, the students paying the difference. On the other hand, the supply of teachers may prove after a time superfluous. In that case the committee of council will probably diminish the number of the scholarships; and it is possible, though we do not think it probable, that they may find it necessary at the same time to increase their value. We have adverted to these points in order to show how the present system enables the committee of council to regulate the supply of teachers for elementary schools. The degree of assistance to be afforded from time to time must always be a question of administration. We see no reason to recommend at present any alteration in the amount given. One alteration, however, in the nature of the certificates given to the students in the training colleges, will follow from the recommendation which we shall make and explain in a subsequent part of our report—that all annual grants be paid to the managers in a single sum, to be expended at their discretion for the purposes of the school. They will then make their own bargains with the masters, and the certificate, instead of having a money value, will be a testimonial of conduct and ability issued by an impartial and competent authority.

We do not propose to disturb the existing arrangements as to the examination of students at the training colleges, and we wish to continue the present system of suspending the issue of the certificate till the teacher has been in actual charge of his school for two years. We wish also to continue the system of raising the degree of the certificate, without further examination, according to the teacher's success, at intervals of five years. The influence of the certificates on the salaries of the teachers will, of course, depend on the managers.

We think that in the place of the present system of registration, a fourth class might be added to the three existing classes of certificates.

The system would then stand thus:—

1. There would be an annual examination at the training colleges, open to all students and to all teachers actually engaged in schools, public or private, and properly recommended as to moral character.
2. The names of those who had passed this examination would be arranged in four classes, of which the first three would, as at present, be each arranged in three divisions.
3. Any person who, having passed this examination, had subsequently been in charge of an inspected elementary school for two years, which had been twice inspected, would receive a certificate corresponding to his place in the examination.
4. The inspector would have the right of reducing the rate of the certificate to any extent if the state of the school at the time of inspection appeared to him to require it. He would also have the right of raising the rate of the certificate by one division if the state of the school appeared to him to warrant it.
5. The certificates, when issued, would be subject to revision at the expiration of every period of five years from their original date, spent in charge of any inspected school or schools, when the inspector would alter the certificate according to the state of the school. In each of the five years an endorsement as to the state of the school should be made by the inspector on the certificate.

It may be said that the State has excited expectations in the minds of the teachers by the system of augmentation grants, which give them a moral right to their continuance, but we do not think that this is really the case.

The fact that the present system is supported by sums voted annually, and not by a permanent charge on the consolidated fund, shows that the State is not pledged to its permanence. Indeed it is notorious that it has grown up by degrees, and that ever since its origin the propriety of replacing or altering it has been under discussion. The arrangement by which a certain portion of the grant is appropriated to the augmentation of the teacher's salary is an arrangement between the State and the managers, not between the State and the teachers, and it is for the benefit of the school, not for the benefit of the teachers. At present the average emoluments of certificated masters of all classes and denominations are 97*l.*, which considerably exceeds the amount which can be said to be in any sense guaranteed to the holders of the highest certificates; nor is there any reason to believe that the managers of schools under the modified system would desire to reduce the salaries of their teachers.

§ 4.—*Trained Teachers in charge of Schools.*

We come now to consider the character of the trained teachers when in actual charge of their schools. It is proved beyond all doubt that they are greatly superior to the untrained teachers.

The following is part of the evidence on this subject. It might be greatly extended. Mr. Brookfield, who is not at all disposed to overvalue the effects of training, examined 686 schools, 470 of which were under trained, and 215 under untrained teachers, with the following results:—

Schools under trained teachers—good, 24 per cent.; fair, 49 per cent.; inferior, 27 per cent. Schools under untrained teachers—good, 13 per cent.; fair, 39 per cent.; inferior, 58 per cent.

The assistant commissioners, whose opportunities of comparison were greater than those of the inspectors, as they visited uninspected as well as inspected schools, are nearly unanimous in their opinion as to the superiority of the trained teachers. Mr. Fraser says that "trained and certificated teachers, as a rule, are far superior to those who have not had the advantage of the former, and do not possess the qualification of the latter; but it is a rule which has many exceptions." Mr. Cumin says, "The unanimous opinion in my district is, that teachers trained at a normal school are superior to those who are untrained. In this opinion I concur." Mr. Hare says, "Individual teachers trained at normal schools strongly attest the beneficial effects of such training, and their testimony is confirmed by that of managers of schools and other intelligent observers." Mr. Wilkinson collected the evidence of twenty witnesses connected in various ways with education, in St. Pancras, Chelsea, and St. George's-in-the-East, of whom three only expressed an unfavourable opinion of the trained teachers; that opinion being founded rather in their disinclination than their disability to discharge their duty. Dr. Hodgson says, "From what I have said it will be readily believed that as a rule the teachers of public inspected schools are of a higher order than those of private or public uninspected schools." Mr. Winder says, "The public schoolmasters and mistresses who had been trained left on the whole a very favourable impression upon my mind." Mr. Foster, whose evidence upon the subject differed in some essential respects, to be noticed hereafter, from that of the other assistant commissioners, describes the trained teachers as generally dissatisfied with their position, but writes of them in a manner which admits their general ability.

Some of the assistant commissioners add a high testimony to their general character, and to the spirit in which they pursue their calling. Thus, Mr. Fraser says, "I wish to bear my humble testimony to the very admirable spirit in which the great body of certificated teachers whom I either saw in the course of this inquiry, or have the pleasure of being acquainted with elsewhere, are doing the work to which they have been called." And Mr. Hare observes, "My decided impression is, that the systems of training have been very successful both in adapting the students to teach, and in furnishing them with solid matter, and good methods of instruction. As a class they are marked, both men and women, by a quickness of eye and ear, a quiet energy, a facility of command, and a patient self-control, which, with rare exceptions, are not observed in the private instructors of the poor."

We now proceed to consider the alleged defects of the system. One is the youth of the trained teachers when they enter on their office. It is thus stated by Mr. Watkins. "The certificated teachers," he says, "have one obvious and great disadvantage; they are very young when they enter upon their duties, and they have to deal with very young children. But the younger the children to be trained, the older, within certain limits, should the trainer be. He has more need of experience, of self-knowledge, of discernment in child-nature, and sympathy with childlife. He has before him a more delicate and continuous work than he who acts upon the juvenile boy or girl." Generally, though not always, the trained teacher begins his duties earlier than the untrained master or dame; but the disadvantage, such as it is, is only temporary, and there can be no doubt that, as the supply of trained teachers becomes more commensurate to the demand, the number of teachers who begin their career as assistants will increase, and most of them will thus bring more maturity and practical experience to the office of principal teachers. Mr. Bowstead, in 1854, said that some of the best elementary teachers in his district were uncertificated. But this arose from the fact that their time and strength had always been too severely engaged by the important institutions over which they presided to admit of adequate preparation for a week's examination in a great variety of subjects. This only amounts to saying that before the system of certificates was invented there were a few good teachers who have not since its establishment had time to obtain them.

The second remark which we have to make is, that the position of the teachers in the class list, though it regulates to some extent their salaries is a doubtful indication of their comparative professional value. This is ascertained by the observation of the inspectors of schools in all parts of the country, and was of course more apparent in the infancy of the system, when the certificates had reference solely to the examination, than it is at present, when they are not finally settled till the efficiency of the teacher has been tested by two years' school-keeping. In the year 1851 Mr. Cook reported that some of the best teachers in his district had either no certificate or a low one; and that others who were not remarkable for efficiency had comparatively high certificates. In his report for 1853 Mr. Brookfield said, "It is an embarrassing but undoubted truth, that of the good schools in my district under certificates the proportion is by no means in favour of those of the higher class. The number of course is not; because the number of the higher certificates is comparatively small; but even allowing for this, the proportion of good schools still remains decidedly

in favour of the lower class certificates. Speaking of Wales, Mr. Longueville Jones observes, "Managers state that they do not find the class of the certificate of merit to be any sure index of the value of its holder as a schoolmaster. In the justice of this I altogether concur. I never form my own opinion of a master with any but the slightest reference to his certificate I might also go further, and say that according to my own experience the good schoolmasters do not hold high certificates; certainly the best schoolmasters in Wales either hold none, or else those of the third class." In 1856 Mr. Cook, whilst assuming the superiority of trained over untrained teachers, qualifies his observations as follows: "I am far from saying that the most highly educated persons are the best teachers, or that their efficiency always corresponds to their position in the class list, or that teachers at least equal to the generality of these certificated masters are not to be found among those who have not presented themselves for examination." In 1857 Mr. Brookfield said, "Upon a very careful investigation of the results effected by teachers holding a third-class certificate and by those of a higher diploma, I do not find any such difference in favour of either division as would justify a general inference to the disadvantage of the other. The utmost that I can safely say is, that there is no such superiority on the side of the higher classes as would seem to be indicated by their designation. The preponderance of efficiency, indeed, is somewhat, though very slightly, in favour of the third or lowest class of certificates."

It would be incorrect to found upon this a conclusion unfavourable to the principles upon which the training college examinations proceed. It is the nature of examinations to test only certain kinds of ability, the possession of which is only one element of professional success. Many intellectual, moral, and physical qualities which are essential to that object pass unnoticed in an examination. It is the common peculiarity of places of education to preserve the intellectual energy and vigour of the whole institution by means which necessarily classify the students imperfectly with reference to their fitness for any particular walk in life. No examination could ever be devised by which it would be possible to ascertain the relative positions which a given number of students in law, medicine, or divinity would occupy ten years afterwards in their respective professions, yet examinations are indispensably necessary for the sake of stimulating and rewarding exertion. The training colleges cannot be reasonably expected to do what is done by no other institution intended for a special purpose.

Besides the teachers, who are both trained and certificated, there are some who are certificated but not trained, others who are trained but not certificated, and others who, being neither certificated nor trained, are registered. None of these classes are large, and their numbers will in all probability diminish, as the trained and certificated teachers come to be supplied in larger numbers. Any teacher in charge of an elementary school may present himself for examination for a certificate, whether he has been through a training college or not. Those who succeed in this examination are certificated, though they have not been trained. On the other hand, there are a certain number of students who pass through the training colleges without obtaining certificates. If they become teachers they are trained, but not certificated. The registered teachers are those who being in charge of an elementary school, and being 35 years of age or upwards, succeed in passing an examination somewhat less difficult than that which

is required to obtain a certificate. This arrangement was originally made with the view of admitting to the benefits of the grant the more deserving of the teachers who had entered the profession at an earlier time, and who were too old when the system of certificates was established to obtain them by passing the necessary examination.

Whilst it appears to be proved that the character of the teachers is greatly raised by their training, and that they are altogether a superior class to those who preceded them, it is equally clear that they fail, to a considerable extent, in some of the most important of the duties of elementary teachers, and that a large proportion of the children are not satisfactorily taught that which they come to school to learn.

The evidence of this fact will be fully considered in chap. iv., on "Instruction given in inspected Schools;" but the general results may be stated very shortly in this place. Though children leave school at a very early age, and attend with little regularity, they do attend long enough to afford an opportunity of teaching them to read, write, and cypher. A large proportion of them, however, in some districts do not learn even to read; at least, their power of reading is so slight, so little connected with any intelligent perception of its importance, and so much a matter of mere mechanical routine, as to be of little value to them in after life, and to be frequently forgotten as soon as the school is left. The children do not generally obtain the mastery over elementary subjects which the school ought to give. They neither read well nor write well. They work sums, but they learn their arithmetic in such a way as to be of little practical use in common life. Their religious instruction is unintelligent, and to a great extent confined to exercises of merely verbal memory. The evidence in support of these assertions will be adduced in a future chapter. They are made here as a justification of our opinion that the trained teachers often neglect an important part of their duty.

The difficulty which superior teachers find in heartily devoting themselves to the drudgery of elementary teaching is exemplified by Mr. Coode, who, in speaking of Dudley and the Potteries, says, "The fact appears to be that in these two districts the work of education is really such as to render the accomplishments of a highly instructed teacher for the most part unavailable. Where . . . the children at school at eight or nine years of age are the few exceptions to the general practice of setting children to work at an earlier age, it is wholly impossible to give to such children more than a mere groundwork of plain reading, a still less portion of practice in writing, and yet less of practice in the elementary rules of arithmetic, . . . the grinding of which into the pupils is the most repulsive part of the task of education. Accordingly, the first address made to a visitor by a master or mistress, who feels himself fitted for higher work, is almost always an expression of dissatisfaction with the work in which the labour is incessant, the result so small, and the possible credit to be gained so little." After speaking of the immense importance of good reading, Mr. Coode adds:—"Where at best but a little can be done at all, this should on that account be, if possible, all the better done. But at the earliest stage this involves the greatest of all drudgeries to a teacher who is conscious of an ability for higher things. I am compelled to say that this essential accomplishment is in this district unduly neglected, and that this neglect is too often in proportion to the higher pretensions of the teacher."

Though we feel strongly this defect in many of the teachers, we feel also

that to lower the standard of popular education throughout the country by discouraging the employment of trained teachers would be fatal. Intellectually and morally they are far superior to untrained teachers, and there can be no doubt of their competence to teach elementary subjects thoroughly well to young children, or to see that they are so taught by pupil-teachers if they had an adequate motive for doing so. It is sometimes urged that the way to effect this object is by altering the course of training in the training colleges, or by impressing upon the students in them more studiously than is the practice at present, that what they have to do is to teach young children rudimentary subjects; but we do not think that there is any reason to suppose that they either want the power to accomplish that object, or are unaware of its importance. It would be unjust and unwise to depreciate the importance of the care devoted to the study of school management and methods of teaching, but there is a real danger that the technical manner in which these subjects are dwelt upon, and the way in which different methods of teaching children to read and spell are connected with elaborate theories of various kinds, may conceal the fact that, after all, there is no profound mystery in teaching children to read, write, and cypher. Amongst the wealthier classes (rare and disgraceful exceptions apart) every one learns at a very early age to perform each of these operations without conscious difficulty, and he receives this knowledge from women who have never given a thought to the subject of elementary instruction, and who, in many cases, have far less ability and less instruction than the male or female students at training colleges. The reason that the child obtains this knowledge and skill is that in the upper and middle classes its absolute necessity is universally recognized. In other words, the person who has the instruction of the child has a sufficient motive to induce her to insist upon its learning, and the invariable consequence is, that it does learn the indispensable elements of knowledge, and learns them perfectly. It is natural to suppose that the same results could be produced in elementary schools if the teachers were thoroughly determined to produce them.

No doubt a high and disinterested sense of duty might lead them to go through, or to see, that their pupil-teachers go through, the necessary drudgery. Such a feeling is rare in all callings and in all classes. In most cases no other adequate motive exists. The reputation of the school and the augmentation grant, and certificate of the teacher, depend upon the general character and management of the school. If a fair average number of children are ascertained by examination to be well taught, if the school is well arranged, if its general appearance, and, as the inspectors say, its "tone" is satisfactory, if the pupil-teachers are well trained, and if the master or mistress teaches in a skilful and intelligent manner, and maintains discipline kindly and firmly, nothing more is required. All this is most important. It is intimately connected with all the higher results, the moral results of education. It contributes largely to the humanizing and civilizing influences of the school, and it ought on all accounts to be required in all cases, and where it exists to be commended and rewarded. Excellent, however, as it is, it is consistent with an enormous amount of ignorance of the most essential elements of education on the part of a large proportion of the scholars. Many children in a school which fulfilled all these conditions, and who had had opportunities of learning, might and probably would be, unable to read and write in such manner that it should be a pleasure to them to do so. Just as many boys at the great public schools,

Eton, Harrow, or Rugby, may have received great advantages from the general influences of the school, though they are unable to read an easy Latin book with satisfaction a year after they have left. To know Latin well is not absolutely essential, but to be able to read and write is so; and however good the influences of an elementary school may be, it has failed with respect to every child who having attended it for a certain time has not learnt these things perfectly.

There is only one way of securing this result, which is to institute a searching examination by competent authority of every child in every school to which grants are to be paid, with the view of ascertaining whether these indispensable elements of knowledge are thoroughly acquired, and to make the prospects and position of the teacher dependent, to a considerable extent, on the results of this examination. If teachers had a motive of this kind to see that all the children under their charge really learned to read, write, and cypher thoroughly well, there can be little doubt that they would generally find means to secure that result, and the presence of such a motive would do more towards the production of the required effect than any remodelling of the training college system. It must always be a matter of speculation whether a lad who learns Latin in a training college will teach little children to read better or worse than a lad who learns chemistry. But there can be no sort of doubt, that if one of the two finds that his income depends on the condition that his scholars do learn to read, whilst the other is paid equally well whether they do so or not, the first will teach more children to read than the second. The case is one in which the question of power is subordinate to that of will. The teachers sent out from the training colleges are quite good enough; and, to use Dr. Temple's forcible expression, the nature of their duty "is so continually dinned into their ears that they can hardly forget it." The object is to find some constant and stringent motive to induce them to do that part of their duty which is at once most unpleasant and most important. Every security is at present taken to enable them to do it, and to show them that it ought to be done, but sufficient effort is not made to ascertain that it really is done. The alterations which we recommend will, we trust, supply this omission.

The view taken by the trained teachers as to their own position and their general temper and behaviour is a matter which has attracted some attention. It is sometimes alleged that they are conceited, that their behaviour to managers and persons connected with the schools is not satisfactory, and that they are dissatisfied with their position. We have inquired into these assertions, and we do not think that they are well founded. We have met with some complaints of conceit and bad manners on the part of the teachers, but even if each complaint represented a case in which the teacher was to blame, these cases would not be numerous enough to form a ground for any serious charge against the class as a class. It is probable that in many instances the teacher complained of is right, and the manager unduly exacting or susceptible. "A trained teacher," says Mr. Coode, "knows the value of the discipline he enforces, and he is unwilling to allow of any interference with it even by the most respectable gentleman or minister, or the most important clergyman, or most influential lady of the neighbourhood." He goes on to say, that in most specific cases of dispute which came under his notice, he thought that the teachers were right and the managers wrong; but he adds that the manner of both masters and mistresses, especially when they are fresh from the training colleges, is occasionally

conceited and presumptuous. Unfortunate as this may be, it is hardly unnatural, considering the class from which the teachers come; and if greater experience fails to correct it, the remedy is so completely in the hands of the managers, that we think it unnecessary to make any recommendation on the subject.

It ought to be noticed, that the managers of schools occasionally show a want of consideration for the feelings of the teachers, which is ill-judged and unjust. "A well-trained master who knows his business," says Dr. Hodgson, "is not likely to endure, without a grudge, treatment such as I have myself been grieved to witness, treatment which the presence of a stranger renders more humiliating and painful. The clergyman enters the school without removing his hat, or salutation of any kind; he interrupts the lesson; he takes the pupils as it were out of the master's hands; he gives to pupils, visitors, and all, the impression that the school is his, and not the master's."

As to the view of the teachers upon their own position, it appears that there is a certain degree of dissatisfaction amongst them. Mr. Forster dwells at some length upon this subject, and Mr. Wilkinson notices the existence of the same feeling in London, and gives the evidence of several schoolmasters, who express it at considerable length. The other assistant commissioners for the most part heard of this feeling, but did not find that it was either general or important. Mr. Fraser says, "I did not myself observe any tendency to dissatisfaction with the masters and mistresses, though I am told by several persons that dissatisfaction exists."

Mr. Wilkinson refers to conferences and meetings of schoolmasters, at which they took the opportunity of "putting him fully in possession of their grievances," though they "failed to convince him that the profession labours under any very peculiar hardships." We concur with Mr. Wilkinson's opinion. The alleged grievances, as expressed by his informants, are, "that their salary is far beneath that which an equal amount of skill and labour would command in any other profession," and specially that the augmentation grants, "being paid through the treasurer or secretary of the schools, come to be considered as part of their salary;" that "their position in society is lower than it ought to be;" above all that there is no chance of promotion; that when they have once obtained a school, they rise no higher; and specially that they are not appointed inspectors. This is commented on by Mr. Snell with some bitterness.

The state of the case in our opinion is this. Boys who would otherwise go out to work at mechanical trades at 12 or 13 years of age are carefully educated at the public expense from 13 to 20 or 21, and they are then placed in a position where they are sure of immediately earning on an average about 100*l.* a year by five days' work in the week, the days lasting only seven and a half hours, and they usually have six or seven weeks' vacation in the course of the year. After receiving these advantages at the public expense, they seem to complain that they are not provided with still further advantages on a progressive scale throughout the rest of their lives.

As to the specific complaint that they are not made inspectors, we think that they would not be fit for the office. It is absolutely necessary that the inspectors should be fitted, by previous training and social position, to communicate and associate upon terms of equality with the managers of schools and the clergy of different denominations. It is one of the alleged grievances of the schoolmasters that these persons do not recognise them as

social equals; and that state of things, with which no public authority can interfere, is in itself conclusive against the suggestion that they should be made inspectors.

It is, however, untrue that there is no promotion for schoolmasters. None has hitherto been provided at the public expense, but in that as in all other callings some positions are better than others, and the best positions are on the whole filled by the ablest men. We have given above a list of the average emoluments of certificated teachers in different parts of the country and in schools of different denominations, and it appears from that list that the average payments in large districts differ so much that the master of a school in London gets 25 per cent. more than the master of a school in Berkshire. In individual cases the range is far wider. Instances have been reported in which schoolmasters particularly eminent for their success make as much as 300*l.* per annum, and even more, and it cannot be urged that the masters consider themselves morally bound to forego this advantage, as it is alleged in proof of their discontent that they constantly change their schools.

The real cause of this complaint is not the inadequacy of the remuneration of a successful schoolmaster, but the fact that it begins too early and rises by too steep gradients. A lad, the son of a day labourer earning 10*s.* a week, finds himself at the age of 20 in the receipt of 80*l.* or 90*l.* a year. A young lawyer at that age is beginning his professional education. At 22 the young schoolmaster is probably earning 100*l.* or 110*l.* a year. The young lawyer is earning nothing, and does not expect to pay even his professional expenses till he is 30. But the schoolmaster may never earn more. He reaches in early life a table-land, and may tread it till he dies. If the emoluments of the young schoolmaster were smaller, those of the older schoolmaster would appear greater, and there would be no complaint of the absence of promotion.

As to the specific complaint that the augmentation grant is paid them indirectly, and is thus "liable to be confounded with salary," the answer is, that it is paid in that manner because it *is* salary, and in order that it may not be supposed to be anything else. The Council Office has always carefully, and in our opinion properly, avoided any direct recognition of either principal or pupil-teachers, and has confined all its relations to the managers of the individual schools. The arrangements which we propose will be entirely based upon this principle, and will make it clear beyond all possibility of mistake that the teachers must make their own arrangements with the managers, and with them alone, that they are in no sense public servants, and that the advantages and the disadvantages of their occupation, whatever they may be, are like those of other occupations paid by the public, dependent on the market value of their services. These may be reasons for not undertaking it; but they are not grievances.

It may, however, be important to observe that the dissatisfaction felt by the teachers is to some degree explained by the circumstances of their training. Dr. Temple observes that the fact that they are trained in separate institutions "gives them too exalted a notion of their position and of what they have to do," so that "they gradually acquire a sort of belief that the work of a schoolmaster is the one great work of the day, and that they are the men to do it." One of Mr. Wilkinson's witnesses, himself a schoolmaster, observes, "The office is spoken of as one of the highest in the land in importance, mentally, morally, and religiously, and yet the officer ignored, slighted."

"They naturally think," says Mr. Robinson, "more of what education has made them than of what it first found them. They easily lose sight of the fact that they have risen from a very humble social position, and they crave for that status which education seems generally to secure. I think too that in some cases they are too apt to forget that they owe the culture they have to the public provision made for them."

The existence of such feelings shows that however necessary it may be to point out to the students at training colleges the importance of their profession, and to dwell upon the propriety of their discharging their duties with hearty conscientious zeal, it is desirable that they should also be informed that the amount of honour and emolument attached to their calling depends, as is the case with other callings, not upon its intrinsic importance, but upon the feelings with which it is regarded by society at large. If they are not taught to view the matter in this light, there will always be a considerable risk that the efforts of the training college authorities to impress the students with a sense of their responsibility, and the fact that the course of instruction is carried on by the stimulus of literary examinations, may produce a combination of zeal, half professional and half religious, with personal ambition, which can lead only to disappointment and discontent. It is important to remember that Sir J. K. Shuttleworth's hopes, that the teachers might be taught to look upon popular education in a missionary spirit, and be trained to a life of humility and self-denial, have been disappointed. The precautions against personal ambition which he tried to establish, in the shape of extreme plainness of diet and hard manual labour, have been given up; and though efforts are made to impress upon the training colleges a religious character, there can be no doubt that views of personal advancement have as much influence upon teachers throughout their whole career as upon other persons. The inspectors regret that sufficiently high salaries are not offered to pupil teachers; the Government stimulates exertion by the prospect of money prizes; the training college authorities recommend the best men to the most lucrative situations; and the whole course is regulated by examinations which cannot fail to stimulate personal feelings in a very high degree. This is inevitable, and is not a fair subject for complaint; but it is important that those whose duty it is to influence the students as to their view of their future calling, should bear these considerations in mind, and should not forget the importance of leading them to form a sober estimate of their future prospects.

We may observe, in conclusion, that the occupation of an elementary schoolmaster is not well suited for a young man of an adventurous, stirring, or ambitious character, and that it is rather a misfortune than otherwise, when persons of that temper of mind are led into it by the prospect which its earlier stages appear to afford of rising in the world, socially as well as intellectually. It is a life which requires a quiet, even temper, patience, sympathy, fondness for children, and habitual cheerfulness. It wants rather good sense and quiet intelligence than a very inquisitive mind or very brilliant talents, and the prospects which it affords appear well calculated to attract the class of persons best fitted for it. A schoolmaster is sure of a good income, a great deal of leisure, and moderate labour as long as his health lasts. If his prospects are not so extensive as in some other walks of life, they are more secure. He is never out of work. He is affected only casually and indirectly by the vicissitudes of trade, and he fills a position, which if not socially all that he could wish, is universally recognized as

respectable and useful. It can hardly be doubted that these prospects, if neither exaggerated nor depreciated, are sufficient to attract an adequate number of persons to the calling; but it is important that their nature should be clearly understood, in order that disappointments may not arise from a misconception as to the character of the employment.

It may be proper to refer in this place to the opportunity which the high salaries paid to the teachers afford them of making provision for their support in later life.

§ 5.—*General Statistics as to Trained Teachers.*

The proportion between the supply of trained teachers by the training colleges, and the probable demand for them, present and future, forms the last head of the inquiry.

It must be observed that two separate objects are to be attained, the provision of a number of teachers adequate to the present wants of the country, and the maintenance of training colleges capable of filling up the vacancies in that number, when it has been made up. It is very difficult to arrive at anything beyond conjecture upon these points.

The number of teachers required for the whole of England and Wales depends upon the number of children who may be expected to be in the elementary schools, and this, as we have already pointed out, depends principally on the age of the scholars, and the length of their attendance at school. We think that 2,000,000 is the largest number of children for whom trained teachers will be required until a considerable change of feeling has taken place amongst the poor as to the education of their children. The average number of children to a teacher in 1,851 schools in the specimen districts was 58·3. If 2,000,000 children were under trained teachers, about 33,000 would be required for the purpose. The training colleges at present produce about 1,500 teachers a year, which number would be enough to supply the vacancies of 33,000 teachers, on the assumption that the average tenure of office of each teacher was 22 years. The system of training has not as yet lasted long enough to give any satisfactory evidence as to the length of time during which the professional life of a teacher lasts, but as it begins at 21 or 22, it does not seem improbable that it should continue for a period of 22 years. If this is so, or if it even approaches the truth, it follows, that the supply of trained teachers will soon overtake the demand, and will be more than sufficient to fill up vacancies. It is very improbable that all the schools in the country will ever be filled by trained teachers. Private schools will always exist, in certain districts untrained teachers will probably hold their ground even in public schools. Of 1,825 schools in the specimen districts, containing 2,354 teachers, 612 or 26 per cent. were certificated, 35 or 1·5 per cent. registered, and 72·5 per cent. were neither certificated nor registered. We think, therefore, that the committee of council has exercised a proper discretion in resolving for the present to entertain no further proposals for the establishment of training colleges for males.

There is, however, one class of teachers, and one of the most important, for whom additional training colleges are wanted. These are the mistresses of infant schools. Their office, as we have already remarked, requires special qualification, and therefore a special education. At present there is but one college that specially trains them, that of the Home and Colonial Society, and it trains a number utterly inadequate even to the existing

demand. We earnestly recommend that the committee of council devote its attention, and give its powerful aid to the supply of this want. One mode would be to recommend that in every training college for females a portion of time be devoted to the training of mistresses in the management of infant schools. Another would be to turn some of the training colleges for males into training colleges for infant schoolmistresses.

Should our recommendations have the effect of inducing denominations, which have hitherto refused Government aid, to apply for it, the question respecting the support by the State of new training colleges might be re-opened.

Fears have been expressed that the supply of trained teachers for ordinary schools may become excessive, but it is impossible to guard against this beforehand. If the evil should be practically felt, the remedy would be to limit the total number of Queen's scholarships, and the training colleges which could neither obtain Queen's scholars nor dispense with them would probably be closed.

§ 6.—*Recapitulation.*

We now proceed to sum up the results of this chapter.

I. We have passed rapidly over the untrained teachers. We have shown that they are generally inferior to the trained teachers, and we have admitted the justice of the complaint of those who keep private schools, that they are subjected to an unfair competition with the schools aided by the State. We have proposed to remove this injustice, and thereby indirectly to improve the teachers of private schools, by allowing them to obtain certificates of competency, and to share in the public grant, so far as they perform its conditions. Our attention has been fixed on the trained teachers. On those who have gone through the full course prescribed by the committee of council as pupil-teachers in schools, as students in training colleges, an ultimately as masters or mistresses of schools. They are almost creations of the committee of council, and it exercises over them so powerful an influence that it is responsible not only for their errors, but, so far as they are remediable, for their deficiencies.

II. We have explained the origin of the pupil-teacher system. We have shown that the pupil-teachers were introduced for the purpose of filling, during their apprenticeship, the place of monitors, and after their apprenticeship, of being trained to become masters and mistresses. We have shown that their action on the scholars is eminently beneficial, but more on the higher and on the middle classes than on the lower; the instruction of the youngest children, which requires, in fact, the most zeal, patience, and tact, being generally intrusted to the younger pupil-teachers, who necessarily are the least fit for it. We have considered two objections to the education which the pupil-teachers themselves receive during their apprenticeship. One is, that the hours of mental work are too long, lasting at least for seven hours a day; the other is, that their studies are devoted rather to the acquisition of facts than of principles; that "their memory is unwholesomely stimulated, and their judgment stunted and baffled;" that there is a striking contrast between "their great amount of positive information and low degree of culture and intelligence." We have admitted that both these objections have some foundation, and we have alluded to the possibility of shortening the hours of school attendance as a remedy for the one; and the change of some of the subjects of their present course of

instruction for matter of a more interesting and practical nature as a palliative of the other.

III. We then traced the pupil-teachers to the next stage of their education, that of students in the training colleges. As their studies are governed by their annual examination, on their success in which the payments made on their behalf to the colleges depend, we have explained at some length the syllabus of the subjects of examination which is prescribed to the training colleges by the committee of council. It is divided into two portions, one intended to develop the general intelligence of the students, the other to give them practical skill in teaching. To the first portion of the syllabus we have given a general approbation, subject to an expression of regret that political economy is totally omitted from the male syllabus. The second part of the syllabus we have also approved, fully as respects the syllabus for young women, and, as to that for young men, with a qualification that the same knowledge of domestic economy and physiology ought to be required from both. But as the examination papers prepared by the committee of council on the foundation of the syllabus, we have stated our opinion that in the character of the questions there is too much minuteness, too much which appeals to mere verbal recollection, and too little attention to the real importance of the subject-matters inquired into. From the syllabus and examination papers we proceeded to the training actually received by the students. It consists of three and a half hours a day of private study, six hours a day of lectures, occasionally varied by attendance in the practising and model schools attached to the colleges. We have expressed our fears that these hours of work are too many; that the time given to out-door exercise is too short; and that the attendance of the students in the practising schools tends to confirm any bad habits which they may have acquired as pupil-teachers. And we have also cited evidence to show that too much stress is laid on the exercise of the students' memory, while too little attention is paid to the improvement of their judgment and reasoning powers. On the whole, however, we have expressed a favourable opinion of the intellectual training of the students. The moral condition of the colleges, especially the female colleges, appears to be satisfactory.

IV. In these opinions we were fortified by the evidence as to the moral and intellectual character of those who, having passed through the training colleges, were found by our witnesses in the actual charge of schools. We cited from that evidence abundant proof that the trained teachers not only are comparatively far superior to the untrained, but are, in every respect but one, positively good. That exception, however, is a most important one. It is that the junior classes in the schools, comprehending the great majority of the children, do not learn, or learn imperfectly, the most necessary part of what they come to learn,—reading, writing, and arithmetic. We have attributed this defect, not to want of power, but to want of motive in the teachers, and we propose to remedy it by making it the interest of both managers and teachers that all the children under their care really learn to read, write, and cipher. We have considered some other allegations against the trained teachers. One is, the early age at which they are first put in charge of schools. This we expect to disappear as the number becomes larger and the younger students are forced by competition to begin as assistant masters. Another is, that the rank of the certificate, in so far as it depends on the examination, is an imperfect indication of the

teaching power of its holder. This we admit, but it is a defect incidental to every attempt to test the practical skill of a candidate by inquiring into his knowledge of the sciences on which his art depends or of the rules by which it is directed. Our proposal that the certificate shall in future bear only an honorary value will diminish the practical inconveniences attending this unavoidable imperfection. Other complaints are, that the trained teachers are conceited and dissatisfied. The first we do not believe to be true of the class, the second we admit to a certain degree, and account for it by remarking, amongst other causes, that their emoluments, though not too low, rise too soon to their highest level.

V. The last subject into which we have inquired is the probable supply and demand of trained teachers, and we have expressed an expectation that with one exception the supply from the existing training colleges will soon overtake the demand. The exception is that of mistresses of infant schools. The demand for them is great, and we trust that it will be much greater. The supply is insufficient, and does not seem likely to increase unless the committee of council will extend its powerful aid.

CHAP. III.—ATTENDANCE OF CHILDREN.

The two preceding chapters contain an account of the means provided for the education of the children of the independent poor, with a general statement of the number of children which avail themselves of them. The present chapter describes in detail the length and regularity of the children's attendance, and discusses the plans which have been suggested for increasing them. It is divided into the following sections:—1. The statistics of school attendance; 2. Causes which determine the limits of school attendance; 3. Plans for increasing the amount of school attendance.

§ 1.—*The Statistics of School Attendance.*

The questions to be answered are, how long are the names of the children on the books of any school, and what is the degree of regularity with which they attend during that period?

The first question could not be completely answered without minute information as to a number of children sufficiently large to give averages applicable to the whole number of children in attendance at the schools. It would be necessary to know the length of time during which the name of each individual child has been upon the books of any school whatever, and to ascertain in respect to each child the sum of all these periods. The intricacy and the minuteness of such an inquiry rendered it impossible, nor was there any trustworthy evidence as to the minute facts which it would have embraced. The only authentic information bearing upon the point which we could obtain was contained in tables showing the ages of all the children present in a certain number of schools on given occasions. The principle on which the inferences drawn from these tables depend is, that as there is no reason to suppose that the number of children whose names are on the books varies much from year to year, it may be assumed that if the per-centages increase up to one year and fall off after another, the interval between those years will represent the period during which a considerable portion of the children attend school. The removal of children from school to school does not affect this inference. The inference, of course, is vague. It may be that the children who enter school late also remain late,

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and that those who enter early are removed early. No evidence exists on which any trustworthy conclusion on this head could be based.

The following tables are founded on the returns obtained by the assistant commissioners from 1,740 public week-day schools and 3,450 private schools. These give the following results, which coincide very nearly with those obtained by the committee of council from the inspection of annual grant schools throughout the country, as appears from the second column :

Children.					Return from 1,740 Schools in Specimen Districts. — Scholars per cent.	Privy Council Returns from Annual Grant Schools. — Scholars per cent.
Under 3 years of age	...	...	...	...	8.0	—
From 3 to 6 years of age	...	...	...	...	19.8	21.87
" 6 " 7	...	...	...	...	11.3	12.04
" 7 " 8	...	...	...	...	12.3	12.48
" 8 " 9	...	...	...	...	12.4	12.22
" 9 " 10	...	...	...	...	11.6	11.81
" 10 " 11	...	...	...	...	10.3	10.16
" 11 " 12	...	...	...	...	7.9	7.82
" 12 " 13	...	...	...	...	6.0	5.88
" 13 " 14	...	...	...	...	3.1	3.33
" 14 " 15	...	...	...	...	1.3	2.59
Above 15	...	...	...	...	1.0	—

In 3,450 private schools in the 10 specimen districts, the per-centages were—Under 3 years of age, 5.4 per cent.; from 3 to 6 years, 34.7 per cent.; from 6 to 7 years, 13.4 per cent.; from 7 to 8 years, 11.0 per cent.; from 8 to 9 years, 9.0 per cent.; from 9 to 10 years, 7.4 per cent.; from 10 to 11 years, 5.8 per cent.; from 11 to 12 years, 4.8 per cent.; from 12 to 13 years, 3.9 per cent.; from 13 to 14 years, 2.3 per cent.; from 14 to 15 years, 1.3 per cent.; above 15 years, 1.0 per cent. It follows that most of the children in elementary public schools, namely 65.8 per cent., are between the ages of 6 and 12; few go before 6, very few before 3; attendance diminishes rapidly after 11, and ceases almost entirely at 13, only 5.4 per cent. of the children remaining after that age. Hence it appears highly probable that the attendance of most of the children who go to school at all is distributed with more or less regularity over about four years, between 3 and 15, and generally between 6 and 12.

The table as to private schools, which was confined to schools in which the payment did not exceed 1*l.* per quarter, indicates that a larger proportion of the children in them are of the age of 8 and under than is the case in public schools, the per-centages being 64.5 and 46.4 respectively. It also indicates that the children who stay after 8 leave school less rapidly, and therefore stay longer than is the case in public schools. In the private schools the per-centages diminish by two a year from the year 7-8 to the year 10-11, and then by one a year to the year 14-15. In public schools they diminish by about one a year from the year 8-9 to 10-11, and thence by from two to three a year down to the year 14-15. The explanation of this probably is that many of the private schools are infant dame schools, but that those which are confined to older children are frequented in many cases (as appears from the evidence given in chap. ii.) by children whose parents can afford rather higher fees than are paid in ordinary day schools, and who keep them there longer than the pupils of such schools are usually kept. With respect to the regularity of the attendance, it must be observed

that perfectly regular attendance implies uninterrupted resort from day to day to the same schools. If the child is either kept away from school on particular days, or is removed from one school to another, the regularity of its attendance is interrupted to that extent. The statistics as to these two forms of regularity are distinct.

First, as to attendance from day to day. The schools are open for 44 weeks of five days each week, or 220 days in the year; the proportion of children in daily attendance to the number whose names appear on the registers is, in public week-day schools, 76·1 per cent. The proportion of scholars returned in the 10 specimen districts as having severally attended was: Less than 50 days, 17·4 per cent.; 50 to 100 days, 18·9 per cent.; 100 to 150 days, 20·7 per cent.; 150 to 200 days, 24·4 per cent.; above 200 days, 18·6 per cent.

If these proportions hold for the whole country, it will follow that of the 1,549,312 children whose names are on the books of the class of schools connected with religious denominations, 562,400 attend less than 100 days.

As many as 43·0 per cent. attended more than 150 days and upwards. This nearly tallies with the experience of the committee of council, which is, that in 1859, in annual grant schools, 41·28 per cent. of the children attended 176 days, so as to be able to claim the capitation grant. Our returns include schools to which no capitation grants are paid. It further appears that 63·7 per cent. of the children attended 100 days and upwards.

As to regularity of attendance at the same school, the following table in the last report of the committee of council gives the mean centesimal proportion for seven years, ending with and including 1859, and also the mean centesimal proportion for 1859 and 1858 respectively of scholars on the books who had attended the *same school* for the several periods therein mentioned:—

			Mean Per-centage for Seven Years.	1859.	1858.
Less than one year	...	...	40·96	37·81	38·81
One to two years	...	...	24·21	22·57	22·66
Two to three years	...	...	14·8	16·81	16·29
Three to four years	...	...	9·52	10·89	10·48
Four to five years	...	...	5·65	6·46	6·54
Above five years	...	...	4·84	5·46	5·22

As the total number of children attending school does not vary materially from year to year, and as it has been already shown that the attendance of each child is usually distributed over about four years, this table proves that a large proportion of the children must receive their education in several different schools, each of which they thus attend for a short time only.

The result of these tables, and of those showing the whole number of children at school which are embodied in chap. i., may be thus expressed: The children of the great bulk of the poorer classes attend school for several years between the ages of 3 and 12, and generally speaking between 6 and 12; and more than three-fifths of them (63·7 per cent.) attend for 20 weeks in the year and upwards.

To estimate the importance of this result, it must be remembered that an attendance of 100 days generally implies attendance for 20 weeks, as there is evidence to show that parents do not choose to pay for broken weeks; so

that if the child stays away for one or two days it is frequently kept away for the whole week. "I found it quite a common thing," says Mr. Winder, "if a child missed school on Monday and Tuesday, for his parents to keep him away for the rest of the week. It would not be worth their while, they think, to pay 4*d.* for 3*d.* worth of teaching." Mr. Hare gives a curious illustration of this. Hull fair is observed at the schools in that town as a two days' holiday, and in one school there, 65 only, out of 140 boys, attended during the rest of the week. "Parents," says Mr. Hare, "will not pay 2*d.* for a broken week."

This state of things leaves great room for improvement, but we do not think that it warrants very gloomy views or calls for extreme measures. Even under the present conditions of school age and attendance, it would be possible for at least three-fifths of the children on the books of the schools, the 63·7 per cent. who attend 100 days and upwards, to learn to read and write without conscious difficulty, and to perform such arithmetical operations as occur in the ordinary business of life. This knowledge they might receive while under the influence of wholesome moral and religious discipline, and they might add to it an acquaintance with the leading principles of religion, and the rules of conduct which flow from them.

§ 2.—*Causes which determine the Limits of School Attendance.*

The last section gives the statistical results as to the attendance of the children of the independent poor at elementary schools. It remains to state the causes which determine those limits, and which must be motives influencing the parents, who, except in special cases, alone decide whether their children shall go to school, and how long they shall remain there.

The question as to the feelings with which parents of the poorer classes, who are neither in a state of abject poverty, nor of reckless and intemperate habits, regard elementary education, is one of the most important in the whole range of our inquiry. The assistant commissioners have collected a considerable mass of information upon the subject, and their evidence tends for the most part to establish two propositions. The first is, that almost all the parents appreciate the importance of elementary education, and that the respectable parents are anxious to obtain it for their children. The second is, that they are not prepared to sacrifice the earnings of their children for this purpose, and that they accordingly remove them from school as soon as they have an opportunity of earning wages of an amount which adds in any considerable degree to the family income.

Wherever a school is established which supplies the sort of education for which the poor are anxious, it is filled with pupils.

Further proofs of the anxiety of the poor to provide education for their children are to be found in the popularity of evening schools, and in the large sums paid to private schools. Evidence on the first of these heads has been already given. As to the second, it is enough to say that private schools, containing by estimation 573,436 children, are entirely supported by the payments of parents of the class in question.

The anxiety of the parents for the education of their children is, however, limited in its objects. The result which they wish to secure is that which they can themselves appreciate, namely, a knowledge of reading, writing, and arithmetic, of the elements of religion and of the principles of good conduct. Frequently also they either fail to appreciate the importance of regular attendance towards securing this result, or have not sufficient

steadiness and self-denial to enforce it, so that they keep children from school on trifling occasions. Such conduct is perfectly consistent with a sincere desire to secure the education of their children, and a high estimate of its advantages; and thus an apparent conflict of evidence on this important point may be explained.

Injustice therefore is sometimes done to the parents by charges made against them by promoters of education even as regards irregularity of attendance, which, though a reasonable ground for complaint, often arises more from want of self-control and perseverance than from indifference to education. But when the parents are censured for not prolonging the attendance of their children at school, it rests with those who censure them to show that the most has been made of the attendance already given. If a child of 10 years old, who has attended school with moderate regularity for four or five years, can hardly read and write, and cannot cypher to any useful purpose, it is very hard to call upon the parent to keep him at school four years longer, and to tax him with gross selfishness and ingratitude, because he does not choose to forego a large addition to his family income in order to do so. The parent's notion of what education should be may be limited; but, as far as it goes, it is sound. It is no doubt true that it would be most desirable to teach children many other things besides reading, writing, and arithmetic; but if a child is ignorant of these after four years' schooling, his parents may well be excused for supposing that the experiment has lasted long enough.

The name of almost every child is at some time or other on the books of some school at which it attends with more or less regularity. There are, however, children who never attend school, though it does not appear that they are found collected in large numbers in any particular places. In a few instances they receive instruction at home; but the two great causes of absolute non-attendance are poverty and neglect.

It appears from our evidence that, though poverty may be at times alleged as a cause of absolute non-attendance, it is more commonly an excuse than a justification, inasmuch as many parents of the very poorest class send their children to school. As we have before shown (chap. i., § 2) the managers of schools are not so strict in enforcing the payment of the full fee as to allow a child often to be excluded from school by the poverty of its parents.

The commonest cause, however, of an entire absence of schooling is to be found in the intemperance, apathy, and recklessness of the most degraded part of the population. There are persons, though happily they are few, who entirely neglect their children, and allow them to grow up in a state of beggary and ignorance. As to the general motives of parents removing their children from school at or before the average age, there is but little conflict of opinion. The reports of all our assistant commissioners, with the exception of Mr. Jenkins, those of the inspectors of schools, and the answers given to our circulars of questions, all agree in attesting that the children are removed for the sake of the wages which they earn, or of their services at home; the further inducement of fitting the child for some calling for which early training is required being alleged in some cases. Mr. Jenkins alone arrived at the conclusion, that in his (Welsh) districts the general cause of early withdrawal was not the necessity of obtaining the child's wages or services, but the parents want of appreciation of the benefits of a higher education.

The weight of these inducements, and the question whether the parents are right or wrong in this matter, are points of the first importance, and the following section is devoted to the consideration of them and of the various practical questions which are connected with them.

§ 3.—*Plans for Increasing the Amount of School Attendance.*

Before discussing the plans themselves, we will describe the state of the facts to be dealt with, including the existing laws, and indicate the grounds on which our judgments will be formed.

The present section falls under the following heads:—1. State of juvenile labour. 2. Proposals for a general compulsory system of education. 3. Compulsory regulations in factories, printworks, and mines. 4. Private compulsion. 5. Prize schemes. 6. Distribution of minor state appointments on educational grounds.

1. *The State of Juvenile Labour as affecting Attendance at School.*—It would have enlarged the sphere of our inquiry beyond all reasonable bounds to have attempted to obtain the materials for a complete account of this subject, but we have collected evidence enough for the present purpose.

The principal employments of children in this country are, like those of adults, agriculture, manufactures, mining, and the occupations which exist in immense variety in all large towns.

These employments are either continuous, when the child's labour is required all the year round, or intermittent; they are also collective, in which case large numbers of children are employed in the same manner at the same time, or individual, in which case the labour of each child is regulated by the circumstances of its particular employment. These distinctions are of great importance in reference to all systems which aim at prolonging the period of education by distributing the children's time between education and labour.

Agricultural Occupations.—Children are employed in agriculture from a very early age, and in a great variety of ways. "Children," says Mr. Hedley, "begin to have a money value as soon as they can shout loud enough to scare a crow, or can endure exposure to the weather in watching cows in the lane. At eight years of age they can earn 6d. a day, or more; at 11 or 12 they earn 1s. a day." "The children," says Mr. Cook, "are taken from school and from home, and at the age of seven and even so young as six years are kept in the fields from morning to night, Sundays and week-days, for weeks together, without any occupation but that of watching the crows."

Mr. Mosely says:—"A long and dreary interval is allowed to intervene between the time when the child leaves school and that when his industrial education can in any sense be said to begin. He goes, it may be, into the fields at daybreak to drive away the birds from the growing crops, and continues there until sunset; or he is sent out to watch pigs and geese, or to keep cattle or sheep. Thus employed, he is conversant with the same horizon, contends with the same flock of sparrows, traverses the boundaries of the same field, leans daily against the same gate, or sits under the same hedge for months, perhaps for years, together. . . . The intellectual stagnation of an existence like this eats into the soul of the child. I have often been told by those who have taken the pains to ascertain it, of the marvellous inroads it makes in his character, what a cloud it brings over his character, how in a few months scarce a trace remains of the knowledge he

had acquired at school, except perhaps its most technical and mechanical elements."

These, however, are far from being the only agricultural operations in which children are engaged. They are employed in picking stones off the land, gathering twitch or weeds, in driving horses at plough, in cutting turnips for sheep, and in various other ways. At particular seasons "the population is not more than sufficient to do the work, and frequently the whole number of available hands is required at once. Farmers remarking upon this," says Mr. Hedley, "have said to me, 'at certain seasons we want the children, and *must have them.*'"

Agricultural labour varies greatly according to the season of the year and local peculiarities as to produce. The following deviations from the usual routine occur in the districts of Mr. Hedley and Mr. Fraser. They show how great the variety must be if the labour of the whole country is taken into account. "On the banks of the Trent, below Gainsborough, potatoes are largely grown, and in the autumn the children are all employed in following the men who dig the potatoes, and gathering them up. In the neighbourhood of Tickhill peas are grown for the Sheffield market, and at the time for gathering them the bellman is sent round to call all the women and children into the fields. In the neighbourhood of Newark willow-peeling employs many young hands in the spring. At Brandon there is work for children in 'fur-cutting,' as it is called—preparing rabbit skins for use. About Ely children assist their fathers in 'claying.' About Depden the children help the labourer in draining, their duty being to keep the man's spade wet."

Mr. Fraser says, "in Herefordshire there are no fewer than seven annual harvests, in each of which children are largely employed; 1, bark-peeling, 2, hay, 3, corn, 4, hops, 5, potatoes, 6, apples, 7, acorns. Add to these, bird-keeping in autumn and spring, potato-setting, hop-tying, and the incidental duties of baby nursing and errand going." When it is remembered that agricultural wages range from 9s. to 14s. or 16s. a week, and that children, in the various modes indicated, can add to this sum sometimes as much as 4s. or 5s., and generally 2s. 6d., the importance of their earnings to their parents becomes sufficiently apparent.

Watching birds in a field or cows in a lane is a stupefying employment, but this is by no means the case with agricultural labour in general. It is, on the contrary, an employment which gives very considerable opportunities for employing the various faculties. "It is the fashion," says Mr. Fraser, "to speak of agriculture as requiring only unskilled labour. It seems to me that it is a very erroneous epithet. The man who knows minutely the habits and manner of treatment of four or five different kinds of animals, horses, beasts, sheep, swine, poultry; who can hedge, ditch, thresh, mow, reap, plough a furrow, drive a drill, sow a field broadcast, as straight and true as though the line was chalked for him; this man wants something more than mere thews and muscle; he must possess cleverness of the hand and eye; and the first-rate farm labourer is as truly skilled as the first-rate mechanic or artisan. Now this kind of skill can only be picked up at an early age, when the imitative faculties are strong; and I have again and again heard old labourers accounting for the bungling work made by some novice in the craft by saying, 'Ah! he never turned his hand to it till he got too old.'" Mr. Hedley's observations as to the effects of the industrial training given in workhouse schools was to much the same effect.

He says, "the workhouse boy cannot compete with the labourer's child brought up at home. At best, he is not sought after by the farmer. He has learnt to handle a spade, but he has never handled harness; he knows nothing of the farmyard, and he is not inured to weather. No system of industrial training can give boys that handiness which they acquire in real work. Few boys from the workhouses obtain places as farm labourers, nearly all are apprenticed to a trade."

The common fallacy as to the unintellectual and stupefying character of agricultural labour was long ago confuted by Adam Smith, "Wealth of Nations," Book 1, Chap. 10:—"The man who works upon brass and iron works with instruments and upon materials of which the temper is always the same, or very nearly the same. But the man who ploughs the ground with a team of horses or oxen works with instruments of which the health, strength, and temper are very different upon different occasions. The condition of the materials which he works upon, too, is as variable as that of the instruments which he works with, and both require to be managed with much judgment and discretion. The common ploughman, though generally regarded as the pattern of stupidity and ignorance, is seldom defective in this judgment and discretion. He is less accustomed, indeed, to social intercourse than the mechanic who lives in a town. His voice and language are more uncouth and more difficult to be understood by those who are not used to them. His understanding, however, being accustomed to consider a greater variety of objects, is generally much superior to that of the other whose whole attention from morning till night is commonly occupied in performing one or two very simple operations."

Manufactures.—The employment of children in manufactures was minutely investigated by the children's employment commissioners in 1840-43. It will be sufficient for our purpose to point out a few leading facts which bear upon the question of education. In some branches of manufacture, as, for example, in the cotton and woollen trades, the labour is, on the whole, continuous, the number of persons employed is large, and the operations to be performed consist of a mere mechanical routine, so that it is easy to divide the children whose labour is required into sets, of which only one is at work at once.

Children are employed in printworks principally as teerers, and whose business it is to stand by the block printer and keep a sieve full of colour ready to be supplied to the block, each application of the block to the cloth requiring a fresh supply of colour. A teerer is attached to each block printer, by whom it is generally hired and paid, the manufacturer having no relation whatever to the children, and apparently knowing nothing of them. The labour of children employed in factories and print-works is subject to legal restrictions referred to below. Before they were imposed, the children used to enter on their employment, in some cases, in their fifth year, and in the printworks they worked in the most irregular manner, being entirely dependent on the adult printers, who were in the habit of idling for days and then working for great lengths of time together. Factories and printworks are almost always establishments of considerable size, and contain a large number of workpeople. They are thus easily inspected, so that, if the inspectors do their duty, there is good security that the provisions of the laws relating to them, whatever their value may be, will be enforced. There are besides these a number of occupations in which children are employed, not in large numbers but in small groups, by persons in their own

rank of life. Some of these occupations are of such a character as materially to interfere with the education of the children. Mrs. Turner, a person employing about forty hands as cheveners, a branch of embroidery, stated to the children's employment commission, that the common age at which children began to work in that business was seven; that they had no time to go to school on the work-days; that they went from bed to work, and from work to bed; and that they would probably be stupefied on Sunday and not get much from instruction.

One or two facts may be stated which serve to illustrate the magnitude of the earnings of very young children, and the consequent inducement to employ them. Children under eight can earn 4s. a week each in the northern foundries, and Mr. Bellairs calculated that the earnings of children between 8 and 14, in the six counties of Gloucester, Oxford, Warwick, Worcester, Hereford, and Monmouth, were worth at the rate of 2s. a week each, about 260,000*l.* a year. In one establishment at Birmingham, in which 315 hands were employed, 33 per cent. were between 8 and 14 years of age, and they earned on an average 4s. a week.

Whenever a particular manufacture becomes prevalent in a district—as, for example, cutlery at Sheffield, ironworks in South Staffordshire, or potteries in the north of the same county—the division of labour is almost certain to be applied to an extraordinary extent. This subdivision of labour, by reducing manufactures, as it were, to their lowest terms, tends to increase the demand for juvenile labour, because it increases the number of minute occupations which do not require the strength or skill of an adult workman.

Mining.—Far the greater number of mines in England are either collieries or iron mines, and the mode of working them is very similar. In each of these many boys are employed, and at the time when the children's employment commissioners undertook their inquiries women also worked to a great extent. In mines of copper, lead, tin, and zinc there were few very young children, as the work is almost entirely of a laborious kind. They usually begin to work there between 10 and 12. In collieries and iron mines the case was different. In all parts of the country children were employed in these mines from the very earliest age at which they could walk. In some cases they were sent to work at four years of age; in others at five and six. If the coal measure was thin, the children were sent at an early age; if thick enough for men to work in it, at a later one.

The employment of the children in collieries and iron mines consists partly in shutting and opening the doors by which the current of air from the downcast shaft is prevented from passing in the wrong direction. The child sits in the dark the whole day, with no other employment than that of pulling the door open when required for the passage of a "skip" or truck of coal, and letting it fall back as soon as the truck has passed. This work is done by the youngest children. Somewhat older children are employed in "hurrying," that is, pushing the carriages of coal through passages too small to allow the passage of horses and asses. It is alleged, that the nature of a collier's employment is such that it can hardly be performed at all unless the children are accustomed to it from a very early age. During the last session of Parliament an Act, to which we shall presently advert, was passed by which the employment of boys under 12 in collieries or mines was forbidden unless the boy produced a certificate from a competent schoolmaster that he could read and write, or unless the employer procured in the second

and every subsequent month of his employment a certificate that he had attended school for not less than three hours a day for two days in each week during the preceding month.

Miscellaneous occupations in large towns.—The occupations for children in large towns are almost endless in number and variety. Besides apprenticeships to all the common mechanical trades, such as shoemaking, carpentry, tailoring, mason's work, and the like, which exist all over the country, there are occupations which are hardly reducible to any general heads. For boys of 9 or 10, running errands is the principal employment; they make about 2s. 6d. a week in this manner. Young girls sometimes go out to act as nursemaids in poor families, where they get 1s. a week and their board. "London," says Dr. Hodgson, "is very unlike small towns or rural districts, in which one or other branch of industry predominates, and juvenile labour becomes valuable at, but not before a certain age. There is scarcely any age at which in London money may not be earned. Vast is, if not the demand, at least the field for juvenile labour. Even regular callings present an early opening. One teacher has told me of a boy not yet nine years of age whose attention was caught by a bill in a shop window, which he could just make out to mean that an errand boy was wanted. He offered himself on the spot, was speedily accepted, and in a few days afterwards left school, probably for ever." Mr. Wilkinson says, "In the metropolitan districts there are facilities for earning money from the age of six and upwards, and the variety of occupations is so great as to render a detailed list almost impracticable." Mr. Wilkinson's witnesses gave evidence as to the different occupations of children in various districts of London, the result of which is, that boys under 15 will earn various sums from 2s. 6d. to 10s. a week, whilst girls earn from 1s. with their food, upwards, as nursemaids. The demand for boys who have any instruction is very great. Schoolmasters are constantly applied to for boys of 12 to enter situations which are as highly paid as the labour of a farm servant in many parts of England. Mr. Langton, the head master of the model schools in the Borough Road, gave Dr. Hodgson a list of applications which he had lately received. The maximum age (with exceptions) at which boys leave his school is 12, and the terms offered ranged from 5s. up to 10s. a week to begin with, with prospect of advancement. This seems to justify the observation of Mr. Cook, "Very few children of common workmen remain at school beyond the age of 12. They obtain situations very generally between 11 and 12. I have ascertained that at that age steady and intelligent lads gain from 3s. to 7s. weekly in London. So far as I can judge from a tolerably wide experience, the wages now paid to boys are much larger than formerly, and are steadily increasing."

In all parts of the country children are of use to their parents from a very early age in the management of their homes. The poor have no domestic servants, and a girl of 9 or 10 who has several younger brothers and sisters can afford great assistance to her mother by acting as a nurse, or by cleaning, or taking care of the house. Boys of the same or even of an earlier age are employed in going on errands, which are often of sufficient importance to make it worth while to keep the child away from school. The manner in which this operates is thus stated by the Prince Consort in his address to the Educational Congress on the 22nd of June, 1857. "You will probably trace the cause to our social condition, perhaps to a state of ignorance and lethargic indifference on the subject amongst the parents generally; but the root

of the evil will, I suspect, also be found to extend into that field on which, the political economist exercises his activity; I mean the labour market demand and supply. To dissipate that ignorance and rouse from that lethargy may be difficult; but with the united and earnest efforts of all who are the friends of the working classes, it ought, after all, to be only a question of time. What measures can be brought to bear upon the other root of the evil is a more delicate question, and will require the nicest care in handling, for there you cut into the very quick of the working man's condition. His children are not only his offspring, to be reared for a future independent position, but they constitute part of his productive power, and work with him for the staff of life. The daughters especially are the handmaids of the house, the assistants of the mother, the nurses of the younger children, the aged, and the sick. To deprive the labouring family of their help would be almost to paralyse its domestic existence." The statistics of school attendance given in the last section show that the children of the poorer classes are usually sent to school, with more or less regularity, in the more favourable cases until they are about 12, and in the less favourable cases until they are about 10 years old. The facts as to the state of juvenile labour given in the present section show that at those, and even in some cases at earlier ages, the children are able to earn wages which bear a large proportion to the weekly income of the family, and for the sake of which, or for services which they can render at home equivalent in value, they are removed from the school. Is the state of feeling on the part of the parents which these results denote in itself an evil? If so, upon what principles is it to be dealt with? In answering this question a distinction should be made between *regular* and *prolonged* attendance. There can be no doubt as to the importance of *regular* attendance, and every effort ought to be made to secure and to encourage it; but with respect to *prolonged* attendance the case is somewhat different; and it should be remembered that the circumstances of various classes and districts differ materially in particulars which are important in relation to this subject. There are two considerations which ought to be regarded as paramount in discussing it.

In the first place independence is of more importance than education; and if the wages of the child's labour are necessary, either to keep the parents from the poor rates, or to relieve the pressure of severe and bitter poverty, it is far better that it should go to work at the earliest age at which it can bear the physical exertion than that it should remain at school. There can be no doubt that this necessity sometimes exists; in the cases of large families, in the case of the children of widows, or of persons who are either out of employment, or uncertain whether they shall not soon be reduced to that condition. The position of many of the labouring poor, especially of those whose health is not strong, or whose manual skill is not great, is precarious; they are the first to feel changes in the state of trade, and may be suddenly reduced from comparative comfort to destitution, misery, and pauperism. It is no light thing for such a family to forego an opportunity of providing for a child; nor would the father be justified in doing so, unless he clearly saw his way to some distinct advantage to accrue from prolonging the child's attendance at school. It must be remembered, moreover, that a child which is a burden to its parents is less likely to be kindly treated at home, and that the influence of a kind home is as essential to the formation of character as that of a good school.

In the second place the child has a moral right to as good an education

as the parent can afford to give it at the expense of reasonable sacrifices. It would be very difficult to lay down a general rule as to what sacrifices are reasonable, but we think it clear that if a parent is in receipt of an income which, independently of the child's earnings, will support his family, he has no moral right to send his child to work merely for the sake of increasing his own income, until the child has received a certain amount of education, or until the age has arrived, after which the branch of labour to which it is destined cannot be thoroughly learnt.

What amount then of general education is a parent morally bound to give his child? No absolute answer can be given to this question. Private persons who are acquainted with the circumstances of a particular man, district, or class, may truly urge that in the case under their notice a moral obligation exists to keep children at school till their minds and characters are thoroughly formed. But for purposes of legislation or for the administration of grants of public money, a more general standard is required. The best standard that we can suggest for public purposes, is that a man is morally bound to give his children such an amount of education as the respectable members of his own class usually consider necessary. We do not believe that the respectable part of the working population are indifferent to the welfare of their children, and we feel that their practical decision as to the amount of education which they require is entitled to great weight at the hands of all public authorities. Their views upon the subject may be narrow and inadequate; and to enlarge and elevate them may be a useful employment for the promoters of education; but with a view to legislation and to the administration of public grants, the standard which the respectable part of the class set up by their conduct cannot be disregarded by the Legislature or the executive Government.

Before dismissing this part of the subject, however, we must call attention to the important evidence of Mr. Shields, master of the Birkbeck schools, Mr. Imeson, the master of the Central London district school, Mr. Moseley, the master of the Stepney Industrial school, Mr. Todhunter, the master of the South Metropolitan district school, and Mr. Randall, the master of the St. James National school, as to the number of hours during which children can be usefully kept in school, and the length of time for which their attention can be sustained. This evidence may have an important bearing on the question of prolonged attendance.

There is a conflict of opinion between Mr. Shields and the other witnesses; but the evidence on the whole tends decidedly to the conclusions:—(i.) That for children under the age of 12 years, 24 hours a week is nearly the limit of profitable instruction in studies requiring mental effort. (ii.) That 18 hours a week is often a more useful period of mental effort than 24. (iii.) That 15 hours a week, the utmost that is obtained by the factory children, is, to use the most unfavourable expression, not insufficient. (iv.) That much may be done in 12 hours a week, or two hours a day, provided that those two hours be two fresh hours in the morning. (v.) That children who have been educated up to the age of seven in a good infant school can be taught in three years, in a school attendance of from 15 to 18 hours a week, to read well, to write well, and to understand and apply the common rules of arithmetic.

Mr. Chadwick has kindly communicated to us a paper embodying similar evidence, and pointing to the expediency of shortening the school hours generally, and employing the time thus set at liberty in drill, the invigorating

effects of which, both on the body and the character, he has in the same paper adduced a considerable body of evidence to prove.

We are of opinion that no general change of this kind can be prudently recommended, and that its introduction would probably cause great numbers of parents who feel that they are paying for a full day's schooling to become discontented with the schools. But we call attention to the point as one which may be of the highest importance not only in cases where the nature of the employment admits of the regular half-time system, but also in certain cases where the child's services are required during the greater part of every day, it being in evidence that if two fresh hours in the morning can by any means be spared for the school, a considerable amount of education may be secured.

2.—*Proposals for a general Compulsory System of Education.*—Proposals for the establishment of a compulsory system of education are generally based upon the supposition that such a system has been established and has succeeded in other countries. The country most commonly referred to is Prussia, and upon this point the report of our assistant commissioner, the Rev. M. Pattison, contains information so interesting, and in several respects so novel, that we think it desirable, at the expense of a short digression, to give in this place an outline of the Prussian system.

An impression, created we believe by M. Cousin's report to the French Government in 1831, prevails very generally that in Prussia compulsory education and compulsory military service are analagous in principle, and are of equally recent origin. This is not the case. Military service has been compulsory only since the year 1814, but education has been compulsory since the Reformation. "Compulsory school attendance," says Mr. Pattison, "dates from the earliest period of the Reformation, and was a recognized religious duty long before it became a law of the state." Consistorial edicts to this effect have been issued at various periods since Luther's address to the municipal corporations in Germany in 1524. In the 16th and 17th centuries the education given was exclusively religious. In the 18th century writing and arithmetic were added, but from the 16th century to the present day the acquisition of some degree of education has been recognized as "an obligation universally admitted as one of the first duties of the citizen and member of the church," and has been repeatedly enforced by positive enactment, both in Prussia and in other parts of Germany. The effect of this is, that though registers of children within the school age are kept by the police, and periodically compared by boards appointed for that purpose with the school registers of attendance, and though non-attendance is punishable by fine and imprisonment of the parent, these regulations are practically unimportant, because they are rarely called into operation. Mr. Pattison says of Germany in general: "Though I have spoken of irregular attendance, and of enforcement of attendance by penalties, it must be borne in mind that these are individual cases. I have found no province or district in Germany in which public feeling manifested itself as rebelling against compulsory attendance in itself. In 1848-49 such a feeling could not have failed to have found expression had it existed." He adds: "The schooling is compulsory only in name; the school has taken so deep a root in the social habit of the German people that were the law repealed to-morrow no one doubts that the schools would continue as full as they now are. In the free city of Frankfort there is no compulsory law, and I was assured by persons most likely to be informed, that all the children of school

age are as regularly sent to school there as in any other town in Germany; and Frankfort, it should be remembered, is a place of refuge for many loose and unsettled families escaping from the more severe police of the bordering countries, Nassau, Darmstadt, Baden, &c. In Wurtemberg a law was last year enacted, abridging the time of schooling, for the sake of easing the pressure on the existing school accommodation; but it has not yet (May 1859) appeared that the people are disposed to avail themselves of the remission of time."

He observes elsewhere that "the children learn to read, write, and cypher as a matter of course, just as they learn to talk or to dress as neatly as they can afford." It is thus obvious that the present state of education in Prussia illustrates the results of a compulsory system, which having been established under a state of society altogether unlike our own, has lasted long enough to have become superfluous. It proves nothing as to the effects of introducing legal compulsion into a nation previously unaccustomed to it.

The distinguishing characteristic of the Prussian system is not its compulsory attendance, but the mode in which the schools are governed. Their affairs are divided into interior and exterior. The interior affairs are those which relate to teaching and discipline, the exterior those which relate to the management of school property, the enforcement of attendance, the investigation of charges against the teacher, and the preparation of statistical returns. The appointment of the teacher forms a separate head. It is sometimes vested in the parish, and sometimes in a patron, private, official, or corporate, as the case may be. The teacher is required, on receiving his appointment, to take an oath of allegiance, an oath to the constitution, and since 1851 a very stringent regulation has made the appointment or promotion of an elementary schoolmaster dependent on his political conduct and opinions."

The interior affairs of the school are almost entirely under the control of ecclesiastical authorities. The clergyman of the parish is *ex officio* local inspector, and as such has the management of the school as well as the duty of visiting it. He is also personally charged with the religious instruction, which is minute and laborious. He has to prepare every young person in the parish for confirmation by daily lessons of at least an hour, spread over a considerable period. Where there are mixed schools for more than one denomination, both the Protestant and the Catholic clergymen discharge this duty for the children of their own denomination, but mixed schools are rare. Almost all the schools in Prussia are denominational. Mr. Pattison says, "In poor and remote villages a few mixed schools may still remain in the Rhine province, but they are only kept so by the poverty of the people, and are yearly disappearing before the advance of wealth and population." The pastor is subordinate to the superintendent of the circle (*kreise*) in which the parish is situated. The superintendent answers roughly to an English archdeacon, and the circle is a district not altogether unlike an English hundred, and composed of a variable number of parishes. The superintendent inspects the schools in his circle regularly, and regulates their teaching and discipline, but his discretion in these matters is subject to the administrative regulations of the department, which "are exceedingly particular and minute." The superintendent reports to the government of the department (*bezirk*).

The exterior affairs of the school are governed by a managing board, which, however, is almost entirely under the authority of an officer called the

landrath, who is at the head of the civil administration of the circle. The *landrath* is subordinate to the president of a larger district (*bezirk*), answering to a French department; the prefect is subordinate to the president of the province (of which there are eight in the kingdom); and he to the minister of the interior, who for purposes of school administration, is associated with the minister of public worship. The presidents of the provinces and those of the departments have each a deliberative council, and one of the councillors is attached as an equal colleague to the prefect of the department with the title of *schulrath*. He is an ecclesiastical officer, and has much authority over the superintendents of the different circles of the department. The law administered by all these authorities is composed partly of school usages peculiar to the different provinces, partly of ministerial rescripts binding on the whole kingdom. One of these, issued in 1854, "regulates the matters to be taught in the school, and orders the same lessons for every one-class elementary school in the kingdom." It is this elaborate machinery which Mr. Pattison considers as the most characteristic part of the Prussian system. The compulsory attendance he views as a matter which, in the present state of feeling, at least produces comparatively little practical result. Education is compulsory in almost the whole of Germany and in several other countries.

In four out of the five French cantons of Switzerland, viz., Vaud, Fribourg, Neuchâtel, and the Valais, education is compulsory; in Vaud from 7 to 16, and in Fribourg, Neuchâtel, and the Valais from 7 to 15. An account of these laws and their operation will be found in the report of our assistant commissioner, Mr. Arnold. Mr. Arnold found great relaxations made in practice. In the Valais the children are compelled to be at school only five months in the year. In Fribourg the law gives power to the inspector to exempt from the obligation of attendance at school children who are sufficiently advanced, and "children whose labour their parents cannot do without." In canton Vaud, the largest and richest of all the French cantons, the local school committee may grant dispensations to all children above 12 years of age whose labour is necessary to their parents, provided they continue to attend school a certain number of times in a week; and as the master may grant leave for two days in the week, the president of the school committee for a week, and the school committee itself for a month, children above 12 years of age may in these ways get their school-time very much abridged. Mr. Arnold's inquiries, however, led him to doubt whether the law is ever "really executed at all," and his conclusion is, that though primary instruction is most prosperous in canton Vaud, "the making it compulsory by law has not added one iota to its prosperity. Its prosperity is due to the general comfort and intelligence of the population. Where these are equally present, as in Geneva, the prosperity of education is equal, though there is no compulsion; where these fail, the compulsion of the law is powerless to prevent the inevitable check inflicted on education by their absence."

By the school laws of Massachusetts, chap. 41, secs. 1, 2, "Every person having under his control a child between the ages of eight and 14 years, shall annually, during the continuance of his control, send such child to some public school in the city or town in which he resides, at least 12 weeks if the public schools of such city or town so long continue, six weeks of which time shall be consecutive; and, for every neglect of such duty, the party offending shall forfeit to the use of such city or town a sum not exceeding twenty dollars; but, if it appears upon the inquiry of the truant officers or

school committee of any city or town, or upon the trial of any prosecution, that the party so neglecting was not able, by reason of poverty, to send such child to school, or to furnish him with the means of education, or that such child has been otherwise furnished with the means of education for a like period of time, or has already acquired the branches of learning taught in the public schools, or that his bodily or mental condition has been such as to prevent his attendance at school or application to study for the period required, the penalty before mentioned shall not be incurred." "The truant officers and the school committees of the several cities and towns shall inquire into all cases of neglect of the duty prescribed in the preceding section; and ascertain from the persons neglecting the reasons, if any, therefor; and shall forthwith give notice of all violations, with the reasons, to the treasurer of the city or town; and, if such treasurer wilfully neglects or refuses to prosecute any person liable to the penalty provided for in the preceding section, he shall forfeit the sum of twenty dollars."

The school committee of Boston, U.S., in their report for the year 1858-9, complain that though much has been done to correct the evil of truancy, it still prevails to an extent which calls for active effort in curing it.

In Canada, the educational system of which was framed after a most careful review and comparison of the systems of other countries, no measure of compulsion has been adopted.

Two only of our assistant commissioners have reported to us the existence in their districts of a desire for compulsory education, and in both cases the class entertaining it were colliers, whose minds had been familiarized with the intervention of the Legislature by the Acts restraining juvenile labour. Mr. Foster, speaking of the Durham collieries, says: "It is the universal opinion, subscribed to by parents as well as teachers, employers of labour and managers of schools, that education in order to be general and efficient, must be obligatory in some shape or other; and the general feeling appears to be that a certain amount being required before labour is begun at 10 or 12 years of age, there should be legal provision for continuing it afterwards by sparing for this purpose a reasonable portion of the child's time. The coal owners are much in favour of this; but so long as there is nothing to render it equally binding upon all, none will venture to make it his own rule. Parents would be glad of legal enactments to strengthen their own hands, and uphold them practically in what they believe to be right, but have not firmness to maintain, as regards keeping their children at school. They say it would be well for themselves if their parents had been obliged to give them education." Mr. Cumin found the unanimous opinion to be, in the collieries near Bristol, that when a boy presented himself at the mouth of the pit for employment, he should produce a certificate of having attended school for a certain time previously, an opinion which has received legislative sanction by the Act of Parliament of last session.

A petition was presented to Parliament in 1854 by the pitmen in Durham and Northumberland, in which they prayed for a law enacting that "from 10 years of age till 14 no boy should work down the pit longer than six hours a day, that he or they may thereby be enabled to go to school the other part of the day, and thus extend and perfect the education previously got." They further petitioned "that it should be compulsory on the owners of mines to build schools on their several collieries;" and stated that the petitioners would contribute from their earnings twopence each, weekly, in support of such schools, "provided they had the appointment of the school-

masters, the control over the funds thus subscribed, and to see them properly and well applied, so as to procure for their children a good and moral education."

Among the persons to whom we addressed our circular of questions, and whom we selected as fair exponents of general opinion, the great majority of those who have touched upon this point declare themselves against a general system of compulsory education. We may refer to the evidence, among others, of Mr. Blakesley, the Rev. R. Brown, Miss Carpenter, the Rev. T. W. Davids, the Rev. S. Earnshaw, the Rev. Canon Guthrie, Miss Hope, the Rev. C. E. R. Keene, the Bishop of St. David's, the Hon. and Rev. W. H. Scott, Mr. H. S. Skeats, and Mr. John Snell; the evidence of Mr. Ackroyd, the Hon. and Rev. Samuel Best, and the Dean of Carlisle tends in the other direction. The evidence contains indications that the current of opinion is setting away from general compulsory measures. Lord Lyttleton advocated direct compulsory education in his "Thoughts on National Education," proposing that "it should be made a punishable offence for any parent or guardian not to send to school, and keep there, any child of a given age; that they should be required to pay a certain sum for the schooling of such children, and that they should be allowed to choose freely what school it should be." He now says: "I am still of opinion that what I have there proposed is practicable, would involve fewer difficulties than most other plans, and would be to a great extent effectual. But I must admit that since its publication not only have I seen no considerable signs of adhesion to that particular plan, but the course of public opinion has seemed to tend away from the principle of compulsion rather than towards it." The Hon. and Rev. W. H. Scott says: "I long thought that nothing short of compulsory attendance, and imposing a penalty on employers hiring children under a certain age, would make it possible to educate the children of the labouring classes; but on mature consideration I am satisfied that the difficulties attending such a law would be insurmountable, and that before we could impose compulsory attendance on rate-paid schools, we must, in each rate-paying district, have as many schools as there were differences of religious belief among the inhabitants. In short, the disadvantages arising from an educational rate, or from compulsory attendance in rural districts, would far outweigh any benefits." Mr. John Snell also says: "I was long of opinion that nothing short of compulsory education would answer. I am not now of that opinion. The educational movement is already progressing, and will hardly require so violent a measure. English sentiment is unmistakably opposed to compulsion; and the means of evasion are so numerous that a law to this effect would probably fail from unsuitableness and want of popular sympathy. Still, a species of indirect or negative compulsion, requiring school attendance as a condition securing privileges, situations, &c., such as suggested in preceding answer, might be resorted to. The education of certain classes might also be compulsory, as of paupers in work-houses, criminals in gaols; but in the latter case it should be confined to moral, religious, and industrial, as anything tending to sharpen their wits would probably be productive of greater mischief than ignorance itself."

It does not appear, therefore, that the Government would be seconded by public opinion in instituting and maintaining the minute system of supervision, registration, detection of defaulters, and enforcement of penalties, which would be requisite in order to carry into effect a general system of compulsory education. The administrators would be brought into collision

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with the constitution of English society and the habits and feelings of the people. There is a material difference, in reference to such questions, between the political and social circumstances of our own country and those of countries where the central administration wields great power over a people but recently emancipated, habituated to the control of a searching police, and subjected to the direct action of the Government without the interposition of a numerous landed gentry and a multitude of great employers of labour: or where social equality renders possible and democratic opinion enforces a general resort to common schools, the heritage of an ancient Puritan community or the pride of a modern republic.

The conviction, entertained by many persons and embodied in the protests to which we have referred, that Government compulsion is wrong not only in policy but in principle, whether well founded in itself or not, would compel the Legislature to place the compulsory system on a clear moral basis by making it bear equally on all classes, which it would probably be very difficult to do.

The existing schools belong to private managers. But the Government, in adopting a general measure of compulsory education, could scarcely refrain from undertaking, to some extent, the management of the schools. If it compels parents to send their children to school, it is bound to see that there is a school to which they can conveniently, profitably, and conscientiously resort. Difficulties might then arise between the Government and the managers with regard, amongst other things, to the religious instruction, especially in country parishes, where there is generally but one school; and scruples which ordinarily lie dormant, or yield to more important considerations, are apt, when the State becomes a party, to be insisted on as a matter of right.

A system of education tests, in the shape of examinations or certificates of school attendance, has been proposed as a simpler and more practicable plan than a system of compulsory school attendance actually overlooked and enforced by the State. The verification of the certificates would probably be little less difficult, and liable to fraudulent evasion, than the supervision of school attendance, especially in the case of the more migratory portions of the population, whose children are frequently removed from school to school. Both tests would alike require some supplementary provision for the case of children, who, through the fault of their parents, or their own stupidity or truancy, failed to satisfy the test, and who would thus, on arriving at the age of labour, be excluded from all honest callings.

The State could not compel the parents by law to do more than their moral duty, in each case, requires. The moral duty of labourers, mechanics, and small tradesmen, as to the amount of education to be given to their children varies greatly according to the nature of their employment and the amount of their wages. Either a variable scale of the greatest complexity must be constructed to meet these differences of obligation, or the minimum must be accepted as the standard, in which case little would be gained.

That which the state compels it must also enable men to do. It must therefore take on itself in the last resort the obligation of assisting those who are too poor to pay the whole sum for the education of their children; an obligation now acknowledged and discharged by social duty, but which, when it legally rests upon the state, social duty will perhaps cease to acknowledge and discharge.

The state and prospects of education in this country, as displayed by our
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evidence and returns, do not seem to us to warrant the recommendation of a measure which would entail so much difficulty and danger, and give so great a shock to our educational and social system.

The same social organization which repels State compulsion also to a great extent renders it needless. Active and right-minded employers, landowners, clergymen, and other persons of local influence, may and frequently do exercise a moral pressure on their poorer neighbours in the matter of education, the practical force of which is probably, at least, as great as that of State compulsion in the countries where it prevails, and which, combined as it is with charitable assistance, must be far superior in its influence on the relations between classes and on the character of the people.

3.—*Compulsory Education in Factories, Printworks and Mines.—Factories.*—In the case of certain manufactures, the State has interposed in the first instance, to prevent the oppressive employment of children before a proper age, and as a collateral object to secure their education. It is a question quite distinct from that of general compulsion whether the principle of the Factories Act can and ought to be extended to other manufactures and to mines. Six of her Majesty's inspectors of schools have memorialized the Secretary of State for the Home Department in favour of "one general and simple law for securing a certain amount of schooling to all children employed in mines and manufactures," urging, among other arguments, that a general law would be less likely to disturb the children's labour market than any partial measures. We proceed to state the measures which have already been taken, and the result of experience on this subject.

The general nature of the results obtained by the half-time system in factories may be stated very shortly. Where the schools are efficient the result is that the children are well instructed, but the provisions of the acts afford no security that they shall be efficient, and the consequence is that the amount of good actually done is far less than it ought to be. In order to explain this state of things it will be necessary to state shortly the history of our legislation on this subject. Its effects will be illustrated by extracts from the reports of the factory inspectors.

The first Sir Robert Peel brought in and carried the 42 Geo. III. c. 73, for the preservation of the health and morals of apprentices employed in cotton and woollen mills and factories. It forbade the employment of apprentices in such mills and factories for more than 12 hours a day, and it enacted,—“that every such apprentice shall be instructed, in some part of every working day, for the first four years at least of his or her apprenticeship, in the usual hours of work, in reading, writing, and arithmetic, or either of them, according to the age and ability of such apprentice, by some discreet and proper person, to be provided and paid by the master or mistress of such apprentice, in some room or place in such mill or factory to be set apart for that purpose; and that the time hereby directed to be allotted for such instruction as aforesaid shall be deemed and taken on all occasions as part of the periods limited by this act, during which any such apprentice shall be employed or compelled to work.”

In 1819 the employment of children under the age of nine years in cotton mills and factories was prohibited. But the educational clauses of the 42 Geo. III. were not extended to them. The first of these acts protected children, being apprentices, against their masters. The second protected all children against their parents. No material change was made for above 20

years. At length the 3 & 4 Will. IV. c. 103 (1833), the 7 Vict. c. 13 (1844), and the 10 Vict. c. 29 (1847), were passed: these acts, which are to be construed together, form the existing factory law. The chief provisions of these acts are as follows:—The 3 & 4 Will. IV. c. 103, the 7 Vict. c. 13, and the 10 Vict. c. 29, which form the existing factory law, regulate the labour of children in all factories, which are defined to be buildings wherein steam, water, or other mechanical power is employed to work machinery used in the manufacture of cotton, wool, hair, silk, flax, hemp, jute, or tow. Factories for the manufacture of lace, hats, or paper, or solely employed for bleaching, dyeing, printing, or calendering, were originally exempted from these Acts, but by an Act passed in the last session, the 23rd and 24th Victoria, cap. 78, children employed in bleaching works and dyeing works are subject to them. No child under eight years of age can be employed in a factory at all, and no child under 13 years can be employed for more than six hours and a half in a day, or ten hours on alternate days. A child working every day must attend school for three hours; a child working alternate days must attend school for five hours. We may add that the school to be attended by the half-time children is to be chosen by the parents, or, in their default, by the factory inspector. Parents neglecting to cause their children to attend school are liable to a penalty not less than 5s. or exceeding 20s. for each offence. Mill-occupiers are subject to a penalty if they employ children without a certificate from a schoolmaster of their having properly attended school. They must pay to the schoolmaster such sum, not exceeding 2d. a week, or a penny in the shilling of the child's wages, as the inspector shall direct, and may deduct it from the wages.

If the inspector shall be of opinion that any schoolmaster is unfit to instruct children by reason of his incapacity to teach them to read and write, from his gross ignorance or from his not having the books and materials necessary to teach reading and writing, or because of his immoral conduct, or from his continued neglect to fill up certificates, the inspector may deprive him of the power of granting certificates.

But he must name another school within two miles of the factory, and either the schoolmaster or the mill-occupier may appeal to the Secretary of State.

The difficulties of providing efficient education are not so great now as they were in 1833, or even ten years later. The Commissioners on the Employment of Children reported, in 1843—

12. That the means of secular and religious instruction are so grievously defective that in all the districts great numbers of children are growing up without any religious, moral, or intellectual training, nothing being done to form them to habits of order, sobriety, honesty, or forethought, or even to restrain them from vice and crime.

13. That in the towns which have suddenly sprung up under the successful pursuit of some new trade or manufacture, no provision is made for education, nor for affording the means of moral and religious instruction and training; nor, in general, is there any provision whatever for the extension of educational and religious institutions corresponding with the extension of the population.

14. That there is not a single district in which the means of instruction are adequate to the wants of the people, while in some the schools are insufficient for the education of one third of the population.

21. That even in the day schools which do exist the teachers, with some striking exceptions, are wholly unqualified for their office.

Under such circumstances it was necessary not only to require the children to attend schools, but to provide schools for their attendance. At

present good schools exist, or if any attention were paid by the mill-owners to the selection of schoolmasters, would immediately be called into existence.

The remedy which we recommend is, to enact that after a specified day no certificate of school attendance shall be valid unless the school from which it issued shall have been declared by an inspector to be excellent, good, or fair for that purpose. This declaration should be valid for one year, and lists of the schools so declared fit to grant certificates should be published in the local papers. Few of the schools now receiving annual grants from the privy council would be excluded. Out of 7,646 such schools, 5,770 are reported by the privy council inspectors as excellent, good, or fair, even for the purpose of training apprentices, the highest of scholastic functions.

Printworks.—The law with respect to printworks is contained in the 8 & 9 Vict. c. 28. It prohibits the employment in these works of children under eight, and it also prohibits the employment of females and of children under 13 between ten at night and six in the morning. It also provides that during each half-year, from the 1st of January to the 30th of June, and from the 1st of July to the 31st December, in which a child under 13 is employed, it shall attend school for 150 hours, distributed over 30 days in each half-year, not more than five hours being reckoned in any one day. The ground for the legislative distinction between factories and printworks appears to have been that the demand for the article produced by the printworks has hitherto been liable to such sudden and irregular changes as to require a large amount of labour at particular times, and thus to make it more difficult in this case than in the case of factories to divide the children into sets for alternate labour.

Such of these provisions as refer to education appear to be of little use. The following extracts from the inspectors' reports clearly show the cause to which this is due, and the general evidence that irregularity of attendance is the great evil with which ordinary schools have to contend supply any confirmation which their authority may require.

Messrs. Horner, Howell, Kincaid, and Redgrave, whose joint report we have just quoted, recommend the extension to printworks of the half-time system, the restriction of the labour of the children to half a day, and the requisition of three hours' schooling every day. Another mode of effecting the same object, perhaps with less benefit to the children, but also with less interference with the manufacturer, would be to restrict the children to alternate days of work, the intermediate days being devoted to school. The anticipations expressed in 1837, that any interference whatever with the hours of labour would be fatal to a trade in which idleness for weeks is succeeded by a pressure of business twice as great as that which can be performed in the ordinary hours, have not been verified. Since that time infants under eight years old have been excluded from printworks, and children under 13 and women are excluded from night work. Yet calico printing is more prosperous than it ever was. Block printing, which required the employment of children as teerers, is rapidly giving way to machine printing.

Mines and Collieries.—Mr. Tremenheere, the inspector of mines, has for many years published annual reports upon the state and character of the population engaged in the collieries and iron-mines, and upon the necessity which exists for taking measures to improve it. The reports of our own

assistant commissioners, Mr. Foster and Mr. Coode, also contain valuable information upon the subject.

The total number of persons returned at the last census as miners, was—coal-miners, 219,015; iron-miners, 28,008; lead-miners, 22,530; copper-miners, 22,386; tin-miners, 15,050—total, 306,989. Thus 247,023 were employed in coal or iron mines, and 59,966 in mines of lead, copper, and tin.

There is a singular contrast between the colliers and iron-miners on the one hand, and the men who are employed in the mines of lead, copper, and tin on the other. The reports of the condition of the latter are on the whole favourable as to their morality, their intelligence, and their state of education. They are, generally speaking, frugal, orderly, and comfortable.

Mr. Tremenhore speaks of the Cornish miners as very intelligent:—“Every stranger who comes in contact with them is disposed to the conclusion that the intellectual capacity of the class of miners in this country reaches a standard above the average of a labouring population. Clergymen, strangers to the county, find that their addresses from the pulpit are readily understood and commented on by the labouring classes. Men of science bear willing testimony to the skill exhibited by the working miners in relation to their various occupations.”

Mr. Foster describes the lead-miners of Durham as—“A steady, provident, orderly, and industrious people; a high-minded people, disdaining pauperism as the deepest degradation.” He adds that they are remarkably intelligent and generally well-educated; there are books in almost every house, attendance at public service is the rule, not the exception, and profane language is scarcely ever heard.

The colliers are not ill-natured, ill-disposed, or criminal. Indeed, the evidence collected by the mining commissioners as to their general character went to prove the opposite. The inquiry took place in 1842 and 1843, soon after the disturbances which prevailed in the summer of the former year in several parts of the mining and manufacturing districts, but pages of the report are filled with evidence of the simple-minded, good-natured, and harmless character of the colliers, and of their gratitude to those who treated them with kindness.

On the other hand, the nature of their occupation and the circumstances under which it is pursued, expose them to peculiar temptations which ought to be met by a more than usually careful education. Their occupation is very dangerous, unpleasant, and dirty, and does not require that exercise of individual judgment and enterprise which develops the intelligence of the tin, lead, and copper miners. The adult collier population grew up before the employment of women and of children under ten was forbidden. Most of them were sent into the pits before they obtained the very rudiments of education, and they are the sons and brothers of women who were exposed to all the evil results, moral and physical, of a sort of labour utterly unsuitable for either sex. Besides this, the field of employment for colliers is so large, and the sort of skill required is so similar in all parts of the country, that they are migratory and unsettled, and are thus brought much less under the influence of persons of superior rank than those whose employment is more continuous.

The result is that their dwellings are often—to use Mr. Foster's words—“miserable and repulsive,” and so crowded as to prevent any proper separation of the sexes. “Till a comparatively recent period,” says Mr.

Foster, "every effort to improve their dwellings was viewed with jealousy, and met by the cry that it was an attempt to enslave the workmen, that is, to attach them to one spot, and abridge the easy freedom with which they quit one employment for another, or in case of a combination against their masters, turn out of their dwellings and bivouac in the open country."

The result of all these circumstances is that the mode of life of the colliers is reckless, improvident, and coarse. They often earn high wages with short hours, and when this is the case they spend their money not merely in intemperance of the ordinary kind, but in the strange and almost unmeaning extravagance with which sailors in former times squandered their prize-money. Mr. Tremeneere says, "Poultry, especially geese and ducks, the earliest and choicest vegetables (*e.g.*, asparagus, green peas, and new potatoes when they first appear in the market), occasionally even port wine drunk out of tumblers and basins, beer and spirits in great quantities; meat in abundance extravagantly cooked; excursions in carts and cars, gambling, &c., are the well-known objects on which their money is squandered."

The evils which this state of things entails upon the colliers themselves are too obvious to require comment. The evils inflicted on the community at large are not so obvious to cursory inspection, but are not the less important. The copper, lead, and other miners live on good terms with their employers. In the collieries, disputes, which lead to strikes, are of very common occurrence. It would be out of place to discuss here the merits and demerits of strikes, but it is obvious that their occurrence is a great misfortune, and that every influence which raises the intelligence and refines and improves the morals of the labouring population tends to prevent them.

The general character and position of the iron miners is similar to that of the colliers and the description here given applies to both. The existing legal provisions as to collieries are as follows. The 5 & 6 Vict. c. 99 subjected mines and collieries to inspection and prohibited the employment in them of all females and of boys under the age of 10. By the Act 23 & 24 Vict. c. 151 it is provided that after the 1st of July 1861, no male under 12 shall be employed in any mine or colliery unless before he is employed the owner of the mine shall obtain a certificate from a competent schoolmaster that he can read and write, or unless in every second and subsequent lunar month of his employment the owner shall obtain a certificate under the hand of a competent schoolmaster that he has attended school not less than three hours a day for two days in each week during the lunar month immediately preceding, exclusive of any attendance on Sundays. As to the operation of the first of these Acts there is some evidence that its provisions are not properly carried out.

"In the colliery districts," says Mr. Foster, "boys are sent into the pits at eight, seven, even six years old, and at this tender age to 15, earn from 1s. to 2s. 6d. a day, and some even more. In the Auckland Union there are six per cent., and in Durham nine per cent. of the collier boys under 10 years of age, according to the best calculation I can make . . . I saw in a school record the name and age of a boy who had been removed the week before at six years and three months old to go into the coal pit, and in a collier dwelling I was shown the fly leaf of the family Bible, in which the dates of the children's births had been manifestly altered, so as to add two years to the age of each, in order to enable a widow to get her boys

employed. This unnatural pressure into labour proceeds from the collier families themselves rather than from the employers, who say they could to a much greater extent substitute machinery for boy labour, but that it would give dissatisfaction to parents." Mr. Kennedy also says, "the law is not observed in some parts, and better inspection is wanted to enforce the observation of the Act."

The Act gives no power to inspectors to disallow the certificates given by an incompetent master, and provides no test of competency. It is to be feared that in the absence of such a test the certificate will prove to be of little use. With reference to the importance of a certificate that the boy can read and write, we would direct special attention to the following extract from one of Mr. Tremenheere's reports:—

"What is now, by universal consent, in all but a very few and very favoured localities, the mental condition of the very great majority, probably at least three-fourths, of the boys and young men in the coal-mining districts who have passed through the excellent schools that are now everywhere accessible to them, and gone to the work and occupation of their lives? Within two or three years after they have left school they were found to have lost nearly the whole of the little they had ever learned, they cannot read in a manner to profit by or take the least pleasure in reading; they cannot understand the common language of books; they cannot write a letter; they are unable to do a simple sum in arithmetic. Except, therefore, for whatever amount of moral influence may have been exercised over and impressed itself upon their characters during their short and desultory attendance at the day schools, which they leave generally between the ages of 8 and 10, seldom staying till after 11, their so-called education amounts to next to nothing, and the liberal expenditure of employers and the Government in providing good school-houses and well-trained masters and mistresses has been, practically, all but thrown away.

"It may be asked why is it that three-fourths of these boys who have passed through the day schools so soon lose nearly all they have learnt. It is because they have little or no encouragement at their homes to keep up what they have learnt at school, because in England and Wales they do not, with very few exceptions, attend any evening school, and because the little power of reading which some may keep up for a time by attending the Sunday schools does little to prepare their minds for secular reading, which they therefore soon give up the effort to practise either for amusement or instruction."

This evidence points to the conclusion that all boys engaged in mines and collieries, whether provided or not with a certificate of ability to read and write, should be compelled to attend school for the time specified in the Act. The evidence contained or referred to in the last section, further proves that attendance at school is in itself of little value unless the character of the school is guaranteed by an inspector's certificate similar to that recommended already for factory schools.

4. *Private Compulsion exercised by Employers of Labour.*—The main objections to the plan of general legislative compulsion do not apply to private compulsion exercised by employers on their workmen as to the education of their children. As the relation between employers and workmen is one of contract, and can be determined at pleasure by either party, there can be objection to the introduction of any terms into it to which both sides consent; and as the number of workmen is manageable, whilst

their occupations are uniform, the practical difficulty of devising the arrangements required for the purposes of education is easily overcome. Our assistant-commissioners met with many instances in which important and in some cases very successful efforts had been made by employers to secure the attendance at school of the children of their workmen.

The conditions favourable to this system are the employment of a large number of persons in works of the same kind by a single proprietor. The object might no doubt be effected by a combination of employers of the same sort of labour. If the owners of collieries would unite for these purposes, they might confer an immense benefit on the men in their employment, and would reap the fruits in increased tractability and good character.

In some of the works in South Wales, the employers, to diminish the evil of early withdrawal, have established an education test as a condition of the employment of children ranging from 10 to 12 years of age. The test usually adopted is ability to read and write. Mr. Jenkins did not find that any very marked result was secured: "The standard proposed is easily attained by the child at 10 years of age, with scarcely the slightest intellectual training, and in a year or two after the withdrawal, the power both of reading and writing is, from disuse, almost entirely lost."

A high degree of moral pressure in the way of encouragement may be exercised short of that direct compulsion which operates by refusing employment to a workman who neglects to send his child to the school. The essential thing is, that the great employers of labour should endeavour to establish good schools for the children of their workmen, and show a kind and watchful interest in them when established. Independently of any claims which the workman may have on his employer, or any feelings of moral responsibility on the part of the employer himself, it is evident that a system which not only improves the character and intelligence of the workman, but attaches him to the employer by a tie of an almost domestic kind, must well repay the outlay and the care which the institution of a good elementary school requires.

5. *Prize Schemes.*—Many attempts have been made to encourage attendance at school by offering prizes to the children. The most important of these schemes have been set on foot in Staffordshire and the neighbouring counties, and are described by Mr. Norris in his reports to the committee of Council. These schemes do good, but the opinions of the inspectors and assistant commissioners are not, on the whole, favourable to their general establishment. Their great costliness is in itself a conclusive objection to making them form a part of a national system, and they are not likely to produce much effect on the great mass.

6. *Distribution of Minor State Appointments on Educational Grounds.*—A proposal, very similar to prize schemes, is that of offering small Government appointments as prizes for proficiency. Mr. Cumin gives a favourable account of the effects of a system of competition for the appointment of apprentice, leading to that of shipwright, in the dockyard at Devonport. The clergy, the schoolmasters, and persons interested in education, assured him that the system of open competition would have a material effect in inducing parents to send children to school, and in prolonging the period of attendance. Stories were told of the sacrifices made by parents to fit their sons for examination; and he found several instances of boys remaining at school longer than usual for this purpose. In this case the number of the

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appointments is considerable, their recurrence constant, and their influence as prizes is brought to bear upon a limited population. It is probable that these conditions are essential to the success of the system; and, if so, its power of producing sensible improvement in education must be confined to the neighbourhood of large Government establishments.

It may be further observed, with regard to competition for small Government appointments, and to some extent with regard to prize schemes also, that their tendency is to teach the people to value education as the means of rising to a higher station in life. This is of course a reasonable object in many cases; but the main object of promoters of education must be to teach the people to value it as a source of morality, enjoyment, and comfort in the station in which the great mass of them are necessarily destined to remain.

7. General Conclusions.—Our principal conclusions in relation to this part of our subject are as follows:—

1. That the present conditions of school attendance are such that three-fifths of the children resorting to elementary schools attend sufficiently to be able, with proper instruction, to learn to read and write with tolerable ease, and to cipher well enough for the purposes of their condition in life, besides being grounded in the principles of religion. This, however, is subject to some deduction on the score of the frequent removal of children from school to school.
2. That coupling these conditions of attendance with the increasing interest felt in popular education, and the prospect of better and more attractive teachers and schools, the state of things in this respect is not on the whole discouraging.
3. That the difficulties and evils of any general measure of compulsion would outweigh any good results which could be expected from it under the present state of things.
4. That neither the Government nor private persons can effectually resist, or would be morally justified in resisting, the natural demands of labour when the child has arrived, physically speaking, at the proper age for labour, and when its wages are such as to form a strong motive to its parents for withdrawing it from school.
5. That this being the case, public efforts should be directed principally to increasing the regularity of the attendance, rather than to prolonging its duration; and that so far as the prolongation of attendance is aimed at, the division of the children's time between school and labour will be found more feasible than their retention for the whole of their time in school.
6. That under the present circumstances of society, a satisfactory point will have been reached when children go to the infant school at the age of three, and from the infant school to the day school at the age of six or seven, and remain in the day school till ten, eleven, or twelve, according to the circumstances of their parents and the calling to which they are destined; provided that they attend, while on the school books, not less than four hours a day for five days in the week, and not less than thirty weeks, ranging, under the most favourable circumstances, up to forty-four weeks in the year.
7. That there is nothing in the feelings of the parents on the subject of education to prevent well-directed efforts to insure this amount of attendance from meeting with general success.
8. That special effort should at the same time be made, by means of evening schools, to keep up the education once received, to which the encouragement of free and lending libraries would form a valuable auxiliary.
9. That much time may also be redeemed for educational purposes, from the years of childhood now neglected, by preparing the children for the day schools in good infant schools.
10. That the beneficial operation of the education clauses of Factory Acts depends upon the quality of the schools; and that the quality of the schools depends to some extent on the countenance given by the manufacturers. That where the schools are good the clauses act well; subject to a certain drawback arising from the tendency which the prospect of compulsory attendance has to induce the parents to neglect the child's education during its earlier years. That those of the Acts affecting printworks are nearly useless. That the expediency of extending these clauses to other manufactures and to mines depends upon the power of the legislature to secure good schools and regular attendance.
11. That the defects in the Acts of Parliament respecting the employment of children in factories, printworks, mines, and collieries, should be remedied by legislative enactment.
12. That the institution of good schools by the great employers of labour for their work-people, and the exertion of their influence for the encouragement of the schools, has been and will be attended by the greatest and the most unmixed benefits to education; and this may be done not by single employers only, but by several employers in combination.

CHAP. IV.—SCHOOLS INSPECTED AND ASSISTED.

THIS chapter is devoted to the subject of inspection and the efficiency of the schools receiving annual grants from the committee of council. It states the number and duties of inspectors, the standard of efficiency in the inspected schools, the instruction given in them, and their moral influence. The number of inspectors of schools employed by the committee of council is 36; and the number of assistant inspectors, 24. After considering the evidence of different persons on the subject, the commissioners came to the following

Conclusions.—We now proceed to sum up the results of this chapter, and to state the recommendations which we found on them.

I. We have strong testimony to the marked superiority of inspected over uninspected schools, and to the stimulus which inspection supplies, subject to the remark that the inspectors often lead the teachers to dwell on matters of memory rather than of reasoning, and rather on details than on general principles, or on general results, and also subject to a further remark as to the inconvenience of differences in the standards adopted by different inspectors. As a remedy for these defects we recommend the appointment by the committee of council of one or more inspectors general, whose duty it shall be to superintend the inspectors, to notice their deficiencies, and to correspond on the subject directly with the committee of council.

II. We have found, that while inspection quickens the intellectual activity, and raises the condition of the whole school, the inspectors are tempted to attend to the state of the upper, more than of the junior, classes in schools, and to estimate the whole school accordingly.

III. It appears that even in the best schools, only about one-fourth of the boys attain the highest class, and are considered by the inspectors to be "successfully educated."

IV. The evidence indicates that there is a tendency in school-teachers to neglect both the more elementary subjects and the younger scholars, and these last appear to be capable of receiving a far better teaching in reading, writing, and arithmetic, than has hitherto been given to them.

V. The religious and moral influence of the public schools appears to be very great, to be greater than even their intellectual influence. A set of good schools civilizes a whole neighbourhood. The most important function of the schools is that which they best perform.

VI. Even as to mere literary instruction, it would be a mistake to suppose that the existing system has failed because it has hitherto educated successfully only one-fourth of the pupils. The effort has been directed towards establishing a good type of education; towards the quality of the teaching more than to the number of the taught. In this point it has succeeded. In good schools the senior classes have turned out scholars really well taught; the pupil-teachers have been brought up in them, and even where the definite results in the junior classes might appear small in an examination, they have probably affected the whole school morally and intellectually. We think, however, that the time is come when a further attempt should be made to influence the instruction of the large body of inferior schools and of inferior pupils who have hitherto been little affected. We propose to effect this by offering distinct inducements to the masters in all schools to bring up their individual scholars, junior as well as senior, to a certain mark.

CHAP. V.—PUBLIC SCHOOLS UNASSISTED.

THIS chapter is devoted to show the superiority of assisted to unassisted schools. The unassisted public schools are far more numerous than those which are assisted, amounting to 15,952 schools, exclusive of 115 factory schools, containing 17,000 scholars; whereas the assisted public schools are only 6,897. They are inferior, however, in number of scholars; those on the books of the assisted public schools being 917,255, those on the books of the 15,952 unassisted public schools only 654,393. Some of these schools are unassisted, because the managers or patrons reject assistance, either from religious scruples, or because their patrons dislike interference. These obstacles, however, are comparatively rare, and are rapidly diminishing. The great cause which deprives schools of Government assistance is their non-performance of the conditions on which that assistance is offered, a non-fulfilment of which the principal causes are poverty, smallness of population, indifference, or, as it has been lately called, apathy.

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The poverty, however, which is injurious to education is not the poverty of the labouring classes. It must always be recollected that the great sacrifice which they have to make is not the payment of the school-pence, but the loss of the child's wages, and that those wages are always highest where the parent's wages are highest. Mr. Unwin tells us that the neighbourhood of Homerton College is one of the poorest suburbs of London, yet that the school-pence in his school amount to about 12*s.* a year per child. In Mr. Watkins' district, the richest in England, as far as the labourers are concerned, the average of school-pence in Church of England schools amounts to only 8*s.* 6*d.* a head. With scarcely a dissentient, our assistant commissioners and those who have answered our questions say, that the school-pence are always and everywhere forthcoming. The difficulty is to obtain the subscriptions.

Nor is it the poverty of the owners of the soil. England and Wales contain about 37,000,000 acres, or 57,812 square miles, divided into about 16,000 parishes, giving about 1,250 persons and 2,312 acres to a parish. The average net rental, after deducting parochial and county rates, cannot be less than 1*l.* an acre, or 2,312*l.* for each parish.

From the 1,250 parishioners may be deducted one-twentieth as paupers, one-fortieth for the religious denominations who reject aid, and five-twentieths as belonging to the higher and middle classes, leaving 844. Of these, one-fourth, or 211, are children between three and fifteen. One-fourth of them are in private schools; leaving 158 for the public schools. Therefore 79 children constantly in the public schools imply that the 158 obtain each six years of education. Their education, at 30*s.* a head, would cost 118*l.* 10*s.* The children's pence at 2*d.* a week for 40 weeks, would produce 26*l.* 6*s.* 8*d.* The committee of council, supposing it to contribute only one-third, would give 39*l.* 10*s.*; together, 65*l.* 16*s.* 8*d.*; leaving 52*l.* 13*s.* 4*d.* to be supplied out of an average net rental of 2,312*l.* a year.

It may be said that averages are deceitful; that the acreage to each person, instead of 2·21 acres, is sometimes, as in the Strand, only ·004, and sometimes, as in Cumberland, 5·36. The answer is, that with the density of population the rental has a tendency to increase. Nothing pays better than an acre covered with cottages, or an alley, in which each room contains a family. But, though there is always a rental amply sufficient to defray, at a trifling sacrifice on the part of its owner, the small annual sum necessary to meet the demands of the committee of council, those owners may be careless, illiberal, or indifferent. The districts in the hands of such owners are what are called the apathetic districts.

The general cause of apathy is the non-residence of the landowners. Few persons interest themselves much in the concerns of the poor unless they live among them. In the thinly peopled rural districts the higher classes consist of the landlords and the clergy, the farmers forming the middle class. The farmers are often hostile to education; the landlords, unless resident, are indifferent. The burden falls, therefore, on the clergyman, and his utmost exertions may not be sufficient to raise the schools to the moderate degree of excellence which would entitle them to the aid of the committee of council. On the other hand, the densely peopled town districts are avoided by the higher classes; if they are owners there, they are non-resident. Under the influence of religious zeal, the middle classes in towns have done much and are doing much. But there are places

in which non-residence among the higher classes and religious indifference among the middle classes co-exist. These are the apathetic town districts, as the parishes owned by non-residents are the apathetic country districts.

As to the third cause which prevents parishes from fulfilling the conditions of the committee of council, namely, the smallness of their population, some tables, constructed by the Rev. Nash Stephenson, and appended to his communication to us, afford remarkable evidence. The first table shows that in the year 1857 there were in the counties of Somerset, Dorset, Devon, and Cornwall, 1,373 parishes. Of these parishes, 777 possessed a population of 600 persons or under, and 596 possessed a population exceeding 600 persons. In the 777 thinly-populated parishes, there were 14 schools under certificated or registered masters, or less than one such school to 55 parishes. In the 596 more populous parishes, there were 204 such schools, or nearly one such school to three parishes. "There are," says Mr. Fraser, speaking of his Dorsetshire district, "great patches of country utterly destitute, or at best diversified at long intervals by a well-cultivated spot, betokening the presence of some liberal heart and diligent hand, and by the contrast heightening the gloom and dreariness of the surrounding waste. Thus, in the very large range of country between Dorchester and Sherborne, some seventeen miles in length and seven or eight miles broad, there are on the west side the efficient schools of Maiden Newton, Cattistock (these being close together), and Bradford Abbas; on the east, the schools at Admiston, Piddletrenthide, and Buckland Newton, each good of its kind; but, beyond these, a school answering all the purposes of a school, really educating the people as they ought to be educated, you would try in vain to find. Yet the district I mean includes at least forty parishes."

Such being the state of education in a portion of our rural and town districts, the question is, how is it to be improved?

The commissioners then reviewed the different plans suggested, such as a relaxation of the conditions of the committee of council, that parishes under 600 population should receive extra assistance; and a plan for uniting small parishes to support a central school, and referred to the following chapter for a measure or a combination of measures of general application.

CHAP. VI.—MEASURES RECOMMENDED.

Outline of the Case to be dealt with.—In the foregoing chapters we have stated, in considerable detail, the facts, furnished by the evidence collected by us, which illustrate the present state of popular education in England and Wales. We come now to the most difficult part of the undertaking with which we have been intrusted—the suggestion of the measures best fitted, in our judgment, to extend and improve the elementary education of the poor. As any suitable plan for this object must necessarily take into account the actual state of the case as now existing, we think a rapid summary of the broadest facts which our inquiry has elicited may fitly precede a statement of our proposals.

The whole population of England and Wales, as estimated by the Registrar-General in the summer of 1858, amounted to 19,523,103. The number of children whose names ought, at the same date, to have been on the school books, in order that all might receive some education, was 2,655,767. The number we found to be actually on the books was

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2,535,462, thus leaving 120,305 children without any school instruction whatever. The proportion, therefore, of scholars in week-day schools of all kinds to the entire population was 1 in 7·7 or 12·99 per cent. Of these 321,768 are estimated to have been above the condition of such as are commonly comprehended in the expression "poorer classes," and hence are beyond the range of our present inquiry. Deducting these from the whole number of children on the books of some school, we find that 2,213,694 children belonging to the poorer classes were, when our statistics were collected and compiled, receiving elementary instruction in day schools. Looking, therefore, at mere numbers as indicating the state of popular education in England and Wales, the proportion of children receiving instruction to the whole population is, in our opinion, nearly as high as can be reasonably expected. In Prussia, where it is compulsory, 1 in 6·27; in England and Wales it is, as we have seen, 1 in 7·7; in Holland it is 1 in 8·11; in France it is 1 in 9·0.

Before passing on to a much less pleasing aspect of the case, we should scarcely be doing it justice without adverting briefly to the surprisingly rapid progress of elementary education in this country since the beginning of the century. The committee of the House of Commons, of which Lord Brougham, then Mr. Brougham, was chairman, and which was appointed in 1818 to inquire into the education of the people, obtained returns from the parochial clergy of all the day schools existing at that date, distinguishing those which had been established since 1803. Similar returns were obtained by a committee of the House of Commons in 1833, presided over by the Earl of Kerry. Since then, in 1851, a complete educational census has been taken. The first two returns were probably defective, but they must have been sufficiently near the truth to show with tolerable accuracy the rapid pace at which day-school education has been advancing in this country. In 1803 the number of day scholars was estimated at 524,241, or 1 in $17\frac{1}{4}$ of the whole population at that date. In 1818 the numbers were 674,883, or 1 in $17\frac{1}{4}$. In 1833 they were 1,276,947, or 1 in $11\frac{1}{4}$. In 1851 they were 2,144,378, or 1 in 8·36; while in 1858, according to our own returns and estimate, they have risen to 2,535,462, or 1 in 7·7. These statistics prove the great and steady progress which has been made since the early part of the century, both in the extent of the provision made for the education of the poorer classes, and in their appreciation of its worth.

We are bound to observe, however, that a very delusive estimate of the state of education must result from confining attention to the mere amount of numbers under day-school instruction. We have seen that less than three years ago there were in elementary day schools 2,213,694 children of the poorer classes. But of this number, 573,436 were attending private schools, which, as our evidence uniformly shows, are, for the most part, inferior as schools for the poor, and ill-calculated to give to the children an education which shall be serviceable to them in after-life. Of the 1,549,312 children whose names are on the books of public elementary day schools belonging to the religious denominations, only 19·3 per cent. were in their 12th year or upwards, and only that proportion, therefore, can be regarded as educated up to the standard suited to their stations. As many as 786,202 attend for less than 100 days in the year and can therefore hardly receive a serviceable amount of education, while our evidence goes to prove that a large proportion, even of those whose attendance is more regular, fail

in obtaining it on account of inefficient teaching. Much, therefore, still remains to be done to bring up the state of elementary education in England and Wales to the degree of usefulness which we all regard as attainable and desirable.

The aid rendered by the committee of council in this important work our evidence shows to have been extremely valuable. But for obvious reasons, the plan on which it has been given has produced results falling far short of what is required. In the first place, very few of the smaller schools, in comparison of the larger, have been able to fulfil the conditions on which alone they could avail themselves of it; and secondly, as a consequence, assistance has not reached those which stand in greatest need of it. At the date of our statistical inquiries, it assisted 6,897 schools, containing 917,255 scholars; but it left unassisted 15,750 denominational schools, and about 317 Birkbeck, ragged, and factory schools, containing altogether 671,393 scholars, while the whole of the private schools, in which 573,536 children attended, were entirely passed over. It may be fairly assumed that even the unassisted schools have profited to some extent by the stimulus indirectly applied to them by the aid rendered to the assisted, owing to which aid the standard of elementary education has been generally raised; but the facts which we have stated above show that the system has not effected, and we have reason to believe that it is not adapted to effect, a general diffusion of sound elementary education amongst all classes of the poor.

One other point deserves attention; it relates rather to the kind than to the amount of the instruction given in our public elementary schools to the children attending them. The children do not, in fact, receive the kind of education they require. We have just noticed the extravagant disproportion between those who receive some education and those who receive a sufficient education. We know that the uninspected schools are in this respect far below the inspected; but even with regard to the inspected, we have seen overwhelming evidence from her Majesty's Inspectors, to the effect that not more than one-fourth of the children receive a good education. So great a failure in the teaching demanded the closest investigation; and as the result of it we have been obliged to come to the conclusion that the instruction given is commonly both too ambitious and too superficial in its character, that (except in the very best schools) it has been too exclusively adapted to the elder scholars to the neglect of the younger ones, and that it often omits to secure a thorough *grounding* in the simplest but most essential parts of instruction. We have shown that the present system has never completely met this serious difficulty in elementary teaching; that inspection looks chiefly to the upper classes and to the general condition of the school, and cannot profess to examine carefully individual scholars; and that a main object of the schools is defeated in respect of every child who, having attended for a considerable time, leaves without the power of reading, writing, and cyphering in an intelligent manner.

The foregoing review discloses to us the main defects in the existing state of popular education which any practical recommendations should aim to correct. Passing over all the minor changes which may be usefully adopted, mention of which will be found in other parts of this report, we are agreed that our recommendations should tend to secure the following results. First, that all the children who attend the elementary day schools of the country should be induced to attend with sufficient regularity to

enable them, within a reasonable period, to obtain a mastery over the indispensable elements of knowledge, reading, writing, and the primary rules of arithmetic; secondly, that all the schools in the country at which the children of the poor attend should be qualified and induced to put this amount of instruction within reach of their pupils; and, thirdly, that this should be done in such a way as not to lower the general standard of elementary instruction to this its lowest level of usefulness. How best to do these things appears to us to be the problem we have to solve, and the measures we have agreed to recommend have been framed with a view to its solution.

Before entering upon the fuller consideration of the measures by which we propose to attain these objects, it may be desirable to review the plans which from time to time have been proposed for the improvement of popular education, whether by extending the present system or by substituting another in its place. These will be best considered under the three heads of, *first*, proposals for leaving education to be provided by the voluntary contributions of parents or of charitable persons; secondly, proposals for the opposite plan of a compulsory State education; thirdly, proposals for substituting a system of rating for the present system adopted by Government. It is true that in theory the two latter proposals might be combined, but practically they have been kept separate. We shall then state the merits and defects of the present system, and propose means for its modification and extension.

§ 1.—*Plans which have been proposed for Improving and Extending Popular Education.*

1. *Education to be provided by Voluntary Contributions.*—It has often been considered that the poor would be able to educate their children successfully without any further assistance than that of charitable persons; and this course has been recommended by many of those who are interested in popular education, who believe that the interference of Government with education is objectionable on political and religious grounds, and that it retards educational progress. It is right here to state, in speaking on this subject, that there exists among the members of the commission, as among the nation at large, deeply seated differences of opinion with regard to the duty of Government in this country towards education.

The greater portion of the members of the commission are of opinion that the course pursued by the Government in 1839, in recommending a grant of public money for the assistance of education, was wise; that the methods adopted to carry out that object have proved successful; and that while it is expedient to make considerable alterations in the form in which this public assistance is given, it would not be desirable either to withdraw it or largely to diminish its amount. Without entering into general considerations of the duty of a State with regard to the education of the poorer classes of a community, they think it sufficient to refer to the fact that all the principal nations of Europe, and the United States of America, as well as British North America, have felt it necessary to provide for the education of the people by public taxation; and to express their own belief that, when the grant to education was first begun, the education of the greater portion of the labouring classes had long been in a neglected state, that the parents were insensible to its advantages, and were (and still continue to be) in most cases incapable from poverty of providing it for their children,

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and that religious and charitable persons, interested in the condition of the poor, had not the power to supply the main cost of an education which, to be good, must always be expensive. They are further of opinion that, although the advance of education during the last 20 years has led to a wider and more just sense of its advantages, the principal reasons which originally rendered the assistance of Government desirable still form a valid ground for its continuance, partly because large portions of the country have been unable to obtain a due share in the advantages of the grant, and in the improvements in education which have resulted from its operation, partly because there is still no prospect that the poor will be able by the assistance of charitable persons to meet the expense of giving an education to their children. They believe, therefore, that a withdrawal to any considerable extent of the public grant would have a tendency to check the general advance of education, and to give up much of the ground which has been won; and while they think that the present method of distributing the grant has many disadvantages, they believe them to consist in the manner in which the principle of giving public aid is applied and carried out, and not in the principle itself. Upon these grounds they have endeavoured in various parts of their report to indicate the points in which improvements are necessary, and the manner in which they may be most effectually introduced.

The minority admit that the responsibilities and functions of Government may be enlarged by special circumstances, and in cases where political disasters have retarded the natural progress of society. But they hold that in a country situated politically and socially as England is, Government has, ordinarily speaking, no educational duties, except towards those whom destitution, vagrancy, or crime casts upon its hands. They make no attempt at this distance of time to estimate the urgency of the circumstances which originally led the Government of this country to interfere in popular education. They fully admit that much good has been done by means of the grant; though they think it not unlikely that more solid and lasting good would have been done, that waste would have been avoided, that the different wants of various classes and districts would have been more suitably supplied, that some sharpening of religious divisions in the matter of education would have been spared, and that the indirect effects upon the character of the nation, and the relations between class and class, would have been better, had the Government abstained from interference, and given free course to the sense of duty and the benevolence which, since the mind of the nation has been turned from foreign war to domestic improvement, have spontaneously achieved great results in other directions.

These members of the commission desire that, a good type of schools and teachers having now been extensively introduced, the benefits of popular education having been manifested, and public interest in the subject having been thoroughly awakened, Government should abstain from making further grants, except grants for the building of schools, to which the public assistance was originally confined, and the continuance of which will be fair towards the parishes which have hitherto received no assistance; that the annual grants which are now made should be gradually withdrawn; and that Government should confine its action to the improvement of union schools, reformatories, and schools connected with public establishments, at the same time developing to the utmost the resources

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of the public charities, which either are or may be made applicable to popular education, and affording every facility which legislation can give to private munificence in building and endowing schools for the poor. It appears to them that if the State proceeds further in its present course, and adopts as definitive the system which has hitherto been provisional, it will be difficult hereafter to induce parental and social duty to undertake the burden which it ought to bear, or to escape from the position, neither just in itself nor socially expedient, that large and ill-defined classes of the people are entitled, without reference to individual need, or to the natural claims which any of them may possess on the assistance of masters and employers, to have their education paid for, in part at least, out of the public taxes. Nor do they feel confident that Government will ever be able to control the growing expenditure and multiplying appointments of a department, the operations of which are regulated by the increasing and varying demands of philanthropists rather than by the definite requirements of the public service.

They have felt it their duty, however, to regard the question as it stands after twenty-nine years of a policy opposed to their own; and on the rejection of their own view, they cordially adopt, in the second resort, the scheme of assistance approved by the majority of their colleagues, which they regard as better in every respect, and above all as a far nearer approach to justice, than the present extremely partial system.

We have thought fit to state the differences existing among us on this important point. It must not be inferred that this is the only matter on which we differ. In a subject involving so many statements, so many inferences, so many general principles, and so many executive details, universal concurrence was not to be expected, and has not in fact been obtained.

2. *Compulsory Education enforced by the State.*—The possibility of establishing a system of compulsory education in this country has been brought before us in considering the extent to which it is desirable to enforce the "half-time system" in manufacturing employments. In the third chapter, while examining the objections which are often brought against enforcing the attendance at school of children collected together in certain trades and manufactures, we gave an account of those systems of compulsory education by the State which are now established in Prussia and in other parts of Germany. Our opinion of the applicability of such a system in this country was there indicated, and may be now briefly repeated. We are of opinion that it would be impossible to carry it out except in cases where children are working together in considerable bodies, and where the inspector can therefore ascertain the regularity of their attendance. Any universal compulsory system appears to us neither attainable nor desirable. In Prussia, indeed, and in many parts of Germany, the attendance can scarcely be termed compulsory. Though the attendance is required by law, it is a law which entirely expresses the convictions and wishes of the people. Such a state of feeling renders the working of a system of compulsion, among a people living under a strict government, comparatively easy. Our own condition, it need scarcely be stated, is in many respects essentially different. But we also found that the results of this system, as seen in Prussia, do not appear to be so much superior to those which have been already attained amongst ourselves by voluntary efforts, as to make us desire an alteration which would be opposed to the feelings, and, in some respects, to the prin-

ciples of this country. An attempt to replace an independent system of education by a compulsory system, managed by the Government, would be met by objections, both religious and political, of a far graver character in this country than any with which it has had to contend in Prussia; and we have seen that, even in Prussia, it gives rise to difficulties which are not insignificant. And therefore, on the grounds of a long established difference between our own position and that of the countries where a compulsory system is worked successfully; on the grounds of the feelings, both political, social, and religious, to which it would be opposed; and also on the ground that our education is advancing successfully without it, we have not thought that a scheme for compulsory education to be universally applied in this country can be entertained as a practical possibility.

3. *Education Provided by a System of Parochial Rating.*—The plan of providing for the better extension of education by local taxation, in the form of parochial rates, deserves attentive consideration on different grounds from the preceding proposals. It has been often brought forward in parliament, sometimes as a supplement to, and sometimes as a substitute for, the existing system; it possesses the obvious recommendation, that if it were enforced by law it would carry the means of education into every parish in the country; it is an attempt to make education universal, and at the same time is more in harmony with our institutions than the plan of compulsory education given by the State; compared with voluntary subscriptions it distributes the burden equally; it has been thought that it would not necessarily destroy the independence of the existing schools, nor injuriously affect the character of the teaching; and its supporters have maintained that it would lead to an increased local interest in education; while, by giving a united teaching to the children of different religious communities, it would encourage religious toleration.

Our opinion is unfavourable to the particular form of parochial rating, for reasons which we shall presently state. But we are alive to many of the advantages with which such a plan is accompanied, and as we propose ourselves to recommend that the public assistance given to schools shall be derived in part from local taxation, we wish to state distinctly the reasons which have decided us against the plan of parochial rating.

1. It is undoubtedly true that a compulsory system of parochial rating would establish school buildings, and supply the means of payment for education in all parts of the country more rapidly than any other system. But though these advantages are great, they would not necessarily secure the means of imparting a good education; there is no reason to doubt that they might be obtained, though not so immediately, by a different method; and the very fact of their being gained immediately might give rise to the evils which attend upon the premature establishment of a system for which the country is not prepared. Parishes are, indeed, seldom unprovided with school buildings, though they often require improvement; and little would be done either by an increase of buildings, or even of educational funds, unless it were accompanied by the establishment of an efficient system, unless the management were placed in the best hands, and unless security were taken for the ability of the master and the energy of his teaching.

It is also worthy of remark that most of the difficulties connected with parochial rating attach to the recommendation to build and establish schools out of the rates. It is quite possible to support a school already in existence by a rate in aid, and yet to leave its management and its religious teaching

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substantially free, and proposals to this effect were made both in the Manchester Bill and in the bill of Sir John Pakington. But if it is proposed to build a school from the rates, the management naturally belongs to the ratepayer, and the difficulties about its management and its religious teaching immediately appear. We have therefore ourselves recommended to build no schools by means of rates, but merely to provide by this means for a part of their support.

2. But most of the proposals for parochial rating have recommended that the ratepayers should substantially be entrusted with the management of the schools; and we do not think that such a body would manage them as well as they are managed at present. Where the object is felt to be of immediate local interest and advantage the ratepayers are the proper persons to pay for and to superintend the matter. The rates are also a proper fund for expenses in respect of which it is desirable to exercise vigilant and minute economy, and they are accordingly charged with the support of paupers. The support of a good school does not fall under either of these heads. No doubt it is a matter of immediate local interest and advantage, but it is not at present felt and acknowledged to be so by the great majority of persons contributing to the rate. The whole history of popular education in England shows that the contrary is the truth. What has been done towards its advancement has been done by a charitable and enlightened minority, assisted by the Government. The principal difficulties with which the promoters of education have to contend, arise in many, if not in most, places from the imperfect appreciation of the subject on the part of the classes who, in the event of a parochial rate, would manage the schools. We are aware that many schools are well managed by a large body of subscribers; and it is often said that if ratepayers were intrusted by law with the management of the system, they would learn to take an intelligent interest in it. We believe that in the course of time this would prove to be the case, but in the interval the schools would suffer, their most active and intelligent friends would be discouraged, and many of the principal improvements in education, such as the employment of trained masters and pupil-teachers, might in many cases be given up.

We have observed upon the importance to schools of liberal and sympathising treatment, and have pointed out that the whole subject of education is experimental and progressive. This makes it most necessary that the management of schools should be in the hands of persons who feel a genuine interest in the subject, are willing to bear with disappointments and shortcomings in the hopes of ultimately attaining a satisfactory result, and are ready to try experiments and adopt suggestions for increasing the efficiency of the schools. We do not think that a committee of ratepayers would be likely at present to act in this spirit.

It is undoubtedly true that a system of parochial rating, if it became national, would be far more economical than a system of central aid, like the present, locally administered; and this is a fact upon which we shall frequently have occasion to insist, and which is, as far as it goes, certainly a recommendation of any rating system. It is, however, outweighed in our opinion by the opposite danger, that in the event of intrusting parochial authorities with the management of schools, many of the most essential expenses would either be refused or granted with great reluctance. Good elementary education cannot be obtained without considerable expense, and this is a conclusion which parochial bodies would be reluctant to admit.

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We have shown elsewhere that the most important improvements which have taken place in popular education are due to the introduction of trained teachers, and that they are greatly superior to untrained teachers in dealing with the most ignorant children. These considerations, however, would probably have little weight with the governing bodies which, under a system of parochial rating, would have the chief management of schools. The assertions that a highly trained man is not wanted to teach poor children to read and write, that the trained teachers are likely to be conceited, above their work, insubordinate, and dissatisfied with their position, are just the sort of fallacies which would mislead careless observers. The experience of the majority of workhouse schools leads us to fear that the consequence of putting the management of the schools into the hands of the parochial bodies would be that trained teachers and pupil-teachers would in a great measure cease to be employed, and that the whole standard of elementary education would be lowered. There exist indeed some excellent schools for pauper children; but in most cases it is only under pressure from the Poor Law Board that the boards of guardians have been induced to appoint competent teachers. When left to themselves, they almost always made unsatisfactory appointments; and though (as we shall have occasion to observe more fully hereafter) there are special difficulties connected with pauper education, the way in which it has been generally managed by the boards of guardians is certainly not encouraging as evidence of the fitness of similar bodies to undertake the management of elementary schools.

3. We think that if it were resolved to establish a system under which schools should be founded and supported out of the rates, difficulties would arise as to the religious teaching to be given in them, and as to the authority which the clergy of different denominations should exercise over them, which would probably prevent such a measure from passing through Parliament, and would prevent it from working in an harmonious manner if it did. Our opinion on this subject is founded principally on past experience. Difficulties of this kind, as we have elsewhere observed, prevented the committee of council from recommending the foundation of a Normal College in connection with the State. Similar difficulties defeated the attempt to establish a national system of education in 1839, and to establish a system specially adapted for the factories in 1842. The difficulty as to the Normal Colleges was overcome by the establishment of upwards of 30 training colleges connected in the closest way with different denominations. And meanwhile many thousand elementary schools have been established in the course of the last twenty years, almost all of which are specially connected with some one religious denomination, in many cases by foundation deeds, which give legal security for the permanence of the connection. These facts show that amongst those who really manage popular education, there are deep-seated differences of principle which operate strongly on their minds, and are very unlikely to be removed.

It may be urged that little has been heard of such differences for some years past, that the parents of the children to be educated are, generally speaking, comparatively indifferent to the subject, and that consequently whatever may have been the case formerly, no serious difficulty would be found at present in providing a common constitution for the schools supported by the rates, and in making arrangements as to the teaching in them which would be acceptable to all. We think this a mistake. It is quite true that for several years little has been heard of religious differences

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in the management of schools, and we do not anticipate that anything will be heard of them in future so long as the constitution of the schools remains untouched. The quiet which has prevailed arises from the independence of the different denominations and their undisturbed possession of their respective provinces, but there is no reason to suppose that the circumstance of their having occupied this position for upwards of twenty years would dispose them to exchange it for another. On the contrary, the difficulties would be greater now than they formerly were.

The question of a general system of national education supported by rates is very different from this, and depends upon deeply seated differences of principle which could hardly fail to produce constant bickerings and jealousies in a variety of everyday transactions. A few observations on the nature of the principles on which the parties differ will make this clear. Both agree, in common with the great mass of the nation, in looking upon education as essentially connected with religion. The clergy of the Church of England look upon their own denomination as the established religion of the nation, and they would feel that that fact gave them a right to a leading part in the management of any general system of education established by the State. A large proportion of the Dissenters, on the other hand, disapprove of any connection between the Church and the State, and entertain conscientious objections to conferring upon the clergy, as such, any official connection whatever with public education. If such a position were conferred upon them by law it would be felt to be exclusive, and the exercise of the powers which it conferred would be scrutinized with jealousy, and would be a constant occasion of bad feeling and disputes. If, on the other hand, it were withheld the clergy would feel themselves aggrieved, and would consider that the State had not recognized their claims. They would thus dislike the system, and would probably be reluctant to give to it that cordial co-operation which would be so important as to be almost indispensable to its success.

In some parts of the country, to the differences between Protestant bodies would be further added the wider differences between Protestants and Roman Catholics. These last excite so much warmth that they influence the parents as well as the managers. Mr. Cumin was told by workmen in Bristol and Plymouth, that though they would not object, if Churchmen, to send their children to Dissenting schools, or *vice versa*, they would send them to no school at all rather than a Roman Catholic one. The Roman Catholic week-day schools contain more scholars than any others except the Church of England and the British schools, so that this difficulty would be very serious.

Without expressing any opinion as to the success of the common schools in the United States of America and Canada, it may be well to point out that their establishment affords no proof that a similar system could be introduced into this country. In those countries there is no established Church, and thus the difficulty as to the position of the clergy does not arise. Besides this the different classes of society are much more on a level than is the case in this country, and the common schools which are supported at the expense of all are made use of by all. Education moreover being almost universal, its importance is universally appreciated, and there is no fear that it will be managed in an illiberal or inefficient manner.

In the meanwhile it is not to be denied that many of the arguments in favour of a rate-supported system, and especially that which lays stress on

the importance of arousing and sustaining local interest, have great weight; the more so because the want of local interest and of proper local support is the leading defect in the present system—a defect which would render its permanent establishment throughout the whole country a very questionable benefit. Nor do the preceding observations apply to the principle of throwing on the rates some share of the burden of popular education, but only to the consequences which follow from the form in which most of the suggestions for a rating system have been cast. The most serious of these consequences, in our opinion, are those which touch the management and the independence of the schools. But the economy and the local interest which some amount of local payment and management secures, appears to us essential elements in a system of national education.

The dangerous consequences to which we have just referred, and the necessity for avoiding them, are seen, in our opinion, very distinctly in the history of the various measures by which a system of parochial rating for the purpose of education has been proposed to the House of Commons. Subsequent to the attempt to introduce a modified rating system into the Factories Regulation Act of 1842, five measures have been proposed bearing this character, the Manchester Bill, the Borough Bill in 1852, and the three bills of Lord John Russell, Sir J. Pakington, and Mr. Cobden, in 1855. It would be out of place to enter into any discussion of these measures; but we wish to indicate the points upon which the most carefully prepared schemes of parochial rating appear to have failed. We are assisted in this by the opinion of Sir James K. Shuttleworth, who gave us a full account of two of these bills, which were in a great measure prepared by his own advice. The education clauses in Sir James Graham's Factory Bill of 1842 seem to have been withdrawn, because they were supposed to invade the independence of the dissenting bodies; the Manchester Bill, which, according to Sir J. K. Shuttleworth, was "framed with remarkable skill in almost every detail," failed, partly because the ratepayers would not accept a burden of from 6*d.* to 9*d.* in the pound without a large share in the management of the schools, and partly too because it appeared to endanger the religious character of the teaching; and precisely the same points were urged against the three measures of 1855, that they threatened the independence of the religious teaching, and the good management of the schools. We express here no opinion with regard to any of these measures, beyond saying, that we do not see how either of these objects can be secured where the management is mainly committed to the ratepayers, or where the teaching is not left with the religious denomination to which the school belongs. In one of the leading principles on which many of these bills were founded, that of calling forth local action as an essential requisite for any national system, we must express our agreement; but even this advantage would be dearly bought if it prevented the intelligent management or injured the religious character of schools, the support of which has been both the merit and the success of the present system.

§ 2.—*Examination of the present System of Government Aid and Inspection.*

Having shown the difficulties which would impede the establishment of any of the above systems of education, we shall now proceed to examine the plan which has been adopted by the committee of council, and to consider the possibility of retaining it as a permanent national system. Its leading principle is, that persons interested in the education of the poor

should, under the assistance and inspection of the State, be encouraged to provide education; it professes not to educate, but to assist in educating; and while it inspects schools in order to secure their proficiency, it leaves their internal management free. It has been very successful, and the arguments in its favour have considerable weight.

The first of these is that the present system is in possession of the ground, and the question can no longer be considered as altogether open. It is true, no doubt, that it has never been definitively adopted by the nation at large. This is shown by the fact that it is supported by annual votes, and that it has been constantly the subject of parliamentary discussion; but it is also true that though the discussion has lasted at intervals for upwards of twenty-one years, no other system has been devised which the nation could be induced to adopt, and this raises a strong presumption that the deliberate feeling of the public is in favour of the existing system.

This, however, is not all. During the last twenty years several thousand schools have been established in connection with the system in different parts of the country. These schools are private property, and the founders of many of them are still living. They are connected with particular religious denominations, and the fact of that connection formed the chief inducement to the subscribers to contribute towards their foundation. Their foundation deeds were drawn up in a great measure under the direction of the Government. The managers would, in our opinion, be very harshly treated if the assistance at present given to them were transferred to schools founded on a different principle, without any proof that they had failed to render the services for which the grants were paid, or if they were refused further contributions except upon the terms of altering the constitution which they were so lately compelled by public authority to accept, and upon the faith of which such contributions were made.

The next consideration is the success of the present system. The facts stated in the first section of this chapter are the best proof of this. Although essentially a voluntary system, and demanding great previous exertions as a condition of giving aid, it has, within twenty years of its commencement, either led to the foundation of or greatly improved 9,388 schools, or about two-fifths of the entire number of existing public schools, which contain 1,101,545 scholars, or about half the number now under instruction in the whole country. It assists largely in supporting thirty-two training colleges, the greater number of which it helped to establish; and while the Government has itself expended on national education, in round numbers, 4,400,000*l.*, it has been met by voluntary subscriptions to the amount of 8,800,000*l.* Its system of inspection has raised the standard of education, and by the careful training of its teachers, and, above all, by the introduction of pupil-teachers, it has supplied the best means for teaching in schools. There are, indeed, some important drawbacks to these advantages, but they are such as could be remedied without interference with the main principles of the system, and the remedies themselves would enable it to extend itself with even increased advantage.

It is a further recommendation of the present system that it secures the services of a class of managers, and excites feelings on their part, which have a most beneficial influence on the whole character of popular education. The managers are generally persons whose interest in the matter is of a religious and charitable kind, and though it is sometimes asserted that the zeal which actuates them is polemical and unhealthy, aiming rather at

increasing the numbers and the influence of particular denominations than at promoting the interests of the class under education, we do not think that this criticism is just.

The evidence which we have collected shows that the state of feeling which prompts the foundation, and is produced by the maintenance of the schools is, with rare exceptions, of a very healthy kind. The reports of the assistant commissioners refer to a few cases in which angry and controversial feelings have been produced by indiscretion or misunderstandings, but the number of these cases is very small, and in the vast majority of instances the management of the schools appears to produce nothing but good and kindly feelings amongst all the parties concerned. The fact, to which we have referred more than once, that the children of different denominations frequently attend the same schools, shows that the schools are not conducted in a controversial spirit. It is an easy task to excite sectarian bitterness and hostility, especially amongst the ignorant, and if school managers were actuated by such feelings they would readily find means to gratify them through the agency of the teachers. It is not asserted that they do so. There are cases, it is true, where the benefit of a school is refused to children unless they will accept particular formularies or attend a particular place of worship. We greatly lament an illiberality which is equally short-sighted and unjust, and which in smaller parishes may have the effect of excluding children from the only good school. But we believe such a practice to be rare. With hardly an exception the schools are places of education and nothing more. This being the case, it appears too plain to require illustration, that it is desirable that they should be under the management of persons who show their interest in the subject of education by voluntary subscriptions towards its maintenance.

We think, also, that the existing plan is the only one by which it would be possible to secure the religious character of popular education. It is unnecessary for us to enter upon proof of the assertion that this is desirable in itself. It is enough for our purpose to say that there is strong evidence that it is the deliberate opinion of the great majority of persons in this country that it is desirable. Some evidence has already been given upon this subject of the feelings of the parents of the children to be educated. Those of the nation at large are proved by the fact that, with hardly an exception, every endowment for purposes of education, from the universities down to the smallest village school, has been connected by its founders with some religious body. The colleges of the University of London are a remarkable instance of this. Each of them is distinguished from the rest by its aspect towards religion. University College, which excludes religious instruction from its course, stands alone; but most of the affiliated colleges are connected with religious denominations, as King's College with the Church of England, and Stonyhurst and Oscott with the Roman Catholics. The controversies which have occurred in the course of the last twenty years, the difficulties which they have thrown in the way of the establishment of any comprehensive system, and their practical result in the establishment of the denominational training colleges and elementary schools, appear to us to place beyond all doubt the conclusion that the great body of the population are determined that religion and education must be closely connected, and we do not think that any other principle than that which is the base of the present system would secure this result.

It has been supposed that the object of securing the religious character

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of education might be equally attained either by restricting the teaching given in the schools to points upon which different denominations agree, or by drawing a broad line between the religious and the secular instruction, and by providing that the religious instruction should be given at particular hours, and by the ministers of different denominations. We do not think that either of these expedients would be suitable to the state of feeling in this country.

With respect to the plan of restricting the teaching to points agreed upon, we may refer to the history of the British and Foreign School Society. Undenominational teaching was its distinctive principle, but all the schools, including British and others which are founded on that principle, contain only about 14·4 per cent. of the scholars in public schools, whilst the remaining 85·6 per cent. are in denominational schools. The British schools are for the most part large schools in towns, and are usually established where the various dissenting bodies, not being numerous enough to establish denominational schools, prefer a British school to one connected with the Church of England. Religious communities, when able to do so, always appear to prefer schools of their own to schools on the undenominational principle.

The British and Foreign School Society is the oldest of all the societies connected with education, and might for a considerable time have been regarded as the representative of all the bodies which were not satisfied with the principles of the National Society; but in the course of the last 18 years the Wesleyans and the Independents have established boards of their own.

The plan of drawing a line between religious and secular instruction, and confining the religious instruction to particular hours, would, we believe, be equally unlikely to succeed. The principal promoters of education maintain that such a line cannot be drawn, and that every subject which is not merely mechanical, such as writing and working sums, but is connected with the feelings and conduct of mankind, may and ought to be made the occasion of giving religious instruction. They maintain that the religious influence of the school depends no less upon the personal character and example of the teacher, on the manner in which he administers discipline, upon the various opportunities which he takes for enforcing religious truth, and on the spirit in which he treats his pupils and teaches them to treat each other, than upon the distinctive religious teaching.

Upon this subject we would direct attention to the following resolution of the Wesleyan Committee of Education in reference to a bill introduced by Sir J. Pakington:—"That while it has ever been the fixed rule in Wesleyan schools during the teaching of the catechism, to permit the absence of any child whose parents should object to his being taught such formulæ, and to leave all children free to attend on the Sabbath whatever Sunday school and place of worship their parents may prefer, this committee believes that the Wesleyan community will never consent that the teaching of religion itself in their schools shall be subject to restriction. Their experience shows, that besides the Scripture lesson with which their schools daily open, and in which it is sought to make Divine truth intelligible to children of all capacities, an able Christian teacher will find throughout the day, when teaching geography, history, physical and moral science, and the knowledge of common things, frequent occasion to illustrate and enforce the truths of religion, and that religious teaching may be made to impart life and spirit to the whole process of education."

The above reasons which have been dwelt upon in other parts of our report are the principal ones which induce us to believe, while we are prepared to suggest means both for its modification and extension, that the leading principles of the present system are sound, that they have shown themselves well adapted to the feelings of the country, and that they ought to be maintained. Its drawbacks, however, are not only considerable in themselves, but would be greatly increased if it were allowed to extend itself unaltered over the whole country. In that case defects, which even taken singly are formidable, might if united so impede the administration of the central office, so greatly increase its expenditure, and so injuriously affect the character of the education, that it would be doubtful whether the continuance of the system would be a national benefit. These defects, which we shall now proceed to consider, consist: (1.) In the excessive expenditure which is likely to be thrown on the central revenue for an object the benefits of which are chiefly local. (2.) In the difficulty without such an undue expenditure in assisting a large number of schools entitled to assistance. (3.) In the defective teaching of elementary subjects. (4.) In the complicated business of the office, which would be unmanageable if the present system became national.

The two first of these defects are closely connected, but we shall endeavour to consider them separately.

Defects of the present System.

Expense and its Tendency to Increase.—Before we enter on the consideration of the expense of public assistance to the education of the poorer classes, and its tendency to increase, we desire to say that we think it unreasonable to object to it simply on both or either of these grounds. If it be assumed that it is proper for the State to render pecuniary aid towards the education of the lower classes, a large expenditure, where the area is so large, will be a necessary consequence; and upon the same assumption it cannot be denied that the object is among the worthiest on which the public money can be expended. Again, if the money be wisely and successfully applied, it is to be desired and expected that indefinitely for some considerable time the number of schools seeking to avail themselves of the public aid will increase as improved education is more and more widely diffused, and operates more powerfully on the public mind. One legitimate result of this, however, in a system which is based on assisting local exertion, ought to be a higher and more practical feeling of their duty by parents to provide for the education of their children; with this may be reasonably expected an increased liberality, on the part of the higher classes, to assist their poorer neighbours in the discharge of this great duty, and thenceforward we should have a right to look for a decrease, gradual at first, and then rapid, in the demands on the public purse. We believe this to be the true and not visionary view under which the expense of giving aid to education and its tendency to increase are, of themselves, to be regarded. But this leaves open all considerations as to the detail and economy of the system, and also as to the propriety of throwing some share of the burthen on other funds than the central revenue. To these points we now address ourselves.

According to the most careful estimate we have been able to make, which is based upon a calculation of an increase in the number of pupil-teachers, and in the augmentation grant, the extension of the general system to the

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whole country would cost about 1,300,000*l.*, if the unassisted *public* schools alone were brought under it. If the scholars in private schools were added the sum would amount to about 1,620,000*l.* And supposing an increase in the number of scholars of 20 per cent., in consequence of an improvement in attendance, it would be increased to about 1,800,000*l.* yearly. To this sum, if the present system were unaltered, would have to be added a capitation grant for 2,300,000 children; and at the present rate of attendance, which is an increasing one, at least 800,000 of these would earn 6*s.* a head. This would make the whole grant amount to nearly 2,100,000*l.* a year. Even supposing this to be the extreme point to which the present grant could possibly reach, it seems to us too large a sum to throw upon the general revenue for an object, the benefits of which are in great measure local. We shall give our reasons for this opinion hereafter, but it is desirable previously to consider the possibility that the expenditure on the present system may even exceed this calculation. The estimate we have just given as to the number of children agrees substantially with those of Sir J. Kay Shuttleworth, Mr. Horace Mann, and Mr. Lingen. Mr. Lingen reckons the entire expenses of the public aid to education (including training schools, inspection, office, &c.), at about 18*s.* a child. Sir James K. Shuttleworth thinks it probable that for the next five years the grant will increase at the rate of nearly 100,000*l.* a year, and adds that one of the reasons for the introduction of the Manchester Rating Bill was "an apprehension that Parliament might hesitate to increase the grant beyond 1,000,000*l.*, or 1,200,000*l.*, or 1,500,000*l.* per year." Dr. Temple, however, whose opinion is extremely opposed to the continuance of the present system, stated that its tendency was, by constant relaxations of its conditions, to attain the enormous sum of 5,000,000*l.*; and although this opinion is founded on expectations which we think erroneous, it points to a danger of involving the country in a large extension of the present expenditure in consequence of relaxations in the conditions of the grant.

The principal financial difficulty with which the committee of council has had to contend since its operations have assumed a more extensive character, has been the inability to meet the case of what are sometimes called the "poor districts." It is to be observed that the term "poor," as applied to a school or to the locality which requires a school, is inaccurate. Every country place has within it property capable of meeting the educational wants of its population, and the same is the case even with the most miserable parishes in towns. But it is no less certain, that owing to many reasons,—of which the principal seems to be the indifference of non-resident proprietors,—there is a vast body of parishes scattered through the country, in which the establishment of an effective school is a matter of the utmost difficulty. It was to meet this difficulty that the committee of council first departed from the principle of only giving aid in proportion to subscriptions, to which they had previously held fast in all their operations, and established in 1853 the capitation grant.

The history of that grant is in itself curious, and when fully considered, it supplies the most remarkable illustration of the strong tendency which exists in the present operations of the committee of council to branch out into fresh expenditure in compliance with local demands. In 1853 a scheme of national education was proposed, according to which the towns were to be provided for by rates imposed by themselves, and the rural districts by grants from the general revenue of the country, the amount of

which was to depend on the number of children in attendance. The first part of the scheme was rejected by Parliament, but the committee of council brought the other part into operation by a minute which established the capitation grant. It was offered in the first instance only to places where the population was below 5,000, and which were not corporate towns; so that it was manifestly an attempt to make special provision for poor districts. The attempt, however, to confine it to such localities failed on account of the numerous cases of hardship which it produced. Ultimately it was found impossible to draw a line of distinction between the class of poor and that of richer places. The grant had to be extended to the whole country, and consequently it is now received by many schools which do not require it. Since its establishment it has grown with great rapidity. It was 5,957*l.* in 1854, 20,079*l.* in 1856, and 61,183*l.* in 1859. In the meantime repeated attempts have been made, both by appeals to the office and in Parliament, to get it largely increased, even to the amount of double its present sum.

On the supposition that the present system were to be continued without any attempt to provide by some fresh arrangement for the wants of the poorer districts, and were to advance at its present rate, there is no doubt that the capitation grant might be largely and in some respects wastefully increased unless Parliament interfered. Experience has already shown in how many ways this might occur. Great complaints are made of the hardship of the rule which requires 176 days of attendance as the condition of a child's earning the capitation grant; and it has been often proposed to make the grant depend on the average attendance at the school. Similar suggestions, all pointing in the same direction, of increased aid to meet the wants of poorer schools, are still constantly pressed upon the office. Thus it has been urged to give larger sums to schools on the mere report of the inspectors; and a single minute, giving increased aid "to exceptional cases," once passed, it would soon be found (as has happened already in the history of the grant) that other cases presented equal difficulties, and the rule would be made universal. On the supposition that 2,000,000 children might ultimately enter schools connected with the Privy Council, as we have calculated, and that it is allowed to extend its present system through the country, some relaxation of the conditions of the capitation grant would probably have been the only means of enabling so large a body of schools to share in its benefits. Indeed, the more its area were extended, the more loudly would the excluded schools cry out for such further aid as should enable them to bring themselves within its operations. And it is by no means impossible the capitation grant might grow to 300,000*l.*, and even to a greater sum.

2. *Difficulty of Admitting Poorer Schools.*—It has always been considered one of the chief failures of the present system that it does not touch the districts which most require assistance. A great deal of our evidence shows that there are still, to use the words of Lord Lyttelton, "immense tracts of country in which the Government system is almost entirely unknown and unfelt," and that the schools in such districts are practically unable to meet the conditions of the committee of council. It is important indeed to avoid the inference often drawn that these are always found in small parishes. In many cases they probably are so, but their inability often arises as much from the apathy of a rich, as from the scanty subscriptions of a poor parish. Mr. Fraser has probably placed the matter in its true light.

"I hardly know," he says, "what is meant by a rich parish or a poor parish, as in every parish (as one sees from the overseers' book) there is a certain amount of annual income going into somebody's pocket, which on all principles of responsibility stands bound, as with a first charge, by certain duties to the place from which it is derived. The fact that makes all the difference in the educational, and almost in every other, condition of a parish, is the residence of the owners of the land; or, at least, this combined with the energy and zeal of the parochial clergyman. Where the proprietor does not live, there, to a very great extent, he does not spend; and many an owner of property, who is quoted as a benefactor to his kind in the neighbourhood in which he resides, is shabby and niggardly to an extent that is inconceivable towards a parish whose only claim upon him is that he carries off its great tithes or owns half or all its land. The 'poor parish,' in far the majority of cases, is that which is out of sight, and therefore out of mind. The school is a picturesque feature on the outskirts of the park; it is an expected feature—one which visitors will like to see, and will be sure to ask after—in the village adjacent to the hall; and there of course it stands, is tolerably cared for, and duly admired. But rare indeed are the instances of landowners who, wherever they have property, seem to feel it a first duty to do something for the social and moral elevation of the people."

But even while denying that the inability of parishes to meet the demands of the council office is attributable to their small size, Mr. Fraser brings out very strongly the fact that in numerous cases a real difficulty is experienced, and even presses upon us a plan for subsidizing all small parishes, where the population is less than 400, by gifts of 10*l.* or 15*l.* a year from the Treasury. It cannot, indeed, be doubted that the small parishes are in most respects in a less advantageous position with regard to education than the large ones. It is certain they have, in point of fact, far less availed themselves of the Government assistance; and the proof of this is that the average numbers in uninspected schools are 34, those in inspected are 75. If we wanted further evidence it would be found in the condition of schools, as they have been recently described, in different parts of the country. In the diocese of Oxford, out of 339 parishes, with a population below 600, and containing a total population of 125,000, only 24 schools, two years since, were in receipt of Government aid; in Herefordshire, out of 130 parishes, with a similar population, only five received such aid; in Somerset, out of 280 such parishes, only one; in Devon, out of 245, only two; in Dorset, out of 179, ten; in Cornwall, out of 71, one; and in the archdeaconry of Coventry, Birmingham excepted, out of 76, seven. And these facts become still more significant if we bear in mind the large proportion of schools in parishes, whose population exceeds 600, which have connected themselves with the committee of council. "If we look," says Mr. N. Stephenson, "at the average of all parishes over 600 that are under inspection, we shall find it to be one in 2·97; and if we look at the average of all parishes under 600, we shall find it only to reach one in 26·44." The complete account given by Mr. Warburton of the schools in Wiltshire represents a less gloomy view of the case of small schools, and one which may perhaps be taken as a fairer estimate of their state in the country generally; but out of a total of 159 schools in that county, in populations below 500, it appears that only 9 are in receipt of annual grants from the Privy Council. In stating these facts, indeed, we must remember to take into account that a number of these parishes, probably amounting to 15 per cent., possess each a population of less than 100, and therefore could scarcely support any school beyond a dame's school. Nor must we forget that a recent minute of the committee of council (August, 1858) offers increased facilities to parishes of this description for employing masters of a higher class; but it may be safely stated that it is extremely difficult to maintain a good scholar under a master, in a population below 500, without a very undue proportion of the expense being thrown upon the clergyman.

Indeed, most of the evidence which we have received agrees with that of Dr. Temple, who has urged as a conclusive reason for some alteration in the present system, that "the poor districts can be only touched at an enormous expense." "It is impossible," he says, "to extend the present system to many districts without relaxing the conditions; and if you relax the conditions for one district it is practically impossible to prevent them from being relaxed for another."

These dangers of expense, and the difficulty of admitting the poorer schools, are cogent reasons for some modification of the present system. And they are so upon every view of the case. In the first place, if these schools are really unable to profit by the aid at present offered by the committee of council, there will be the strongest inducement, upon grounds of justice, to relax the present conditions. And until the system can be extended to the whole country, the case of the excluded parishes will be doubly hard, since they contribute as taxpayers to the fund in which they do not share. The most moderate attempt to offer additional relief would amount to an increase of 200,000*l.* a year upon the present grant; and experience has shown that this aid would soon be made universal, and that it is impossible to draw a clear distinction between the wants of one parish and those of another. Thus the capacities of expenditure latent in the capitation grant would rapidly develope into an immense burden thrown on the general revenue. Or, again, suppose it to be urged that the capitation grant should be withdrawn, as an anomaly in the present system: such a step we could not recommend by itself, for although the loss would be comparatively unimportant to the more flourishing schools, the withdrawal of a material aid which they have enjoyed for many years would be a hardship to the smaller schools, many of which it has been the means of saving from bankruptcy. There is a fallacy, moreover, in saying that the present system helps those who help themselves; the poor cannot help themselves in districts where the rich will not help them. Or, lastly, if it be urged that things should be left exactly as they are, and that the present system, in spite of all disadvantages, will work its way through the country, then we should contend, *first*, that its progress would be exceedingly slow, and, *secondly*, that while highly successful if regarded as *provisional*, and as a stimulus to education, it would be unwise and unjust if established permanently as a national system. And this, for two reasons, both because it is at present mainly supported by excessive individual sacrifices on the part of the clergy, on which it would be impossible to rely as a permanent basis for a national system, and also because it would gradually tend to throw 2,000,000*l.* a year on the central revenue for the support of an institution, the benefits of which are mainly local, and which ought, in part, to be locally administered.

The only way, therefore, in which we think this difficulty can be entirely met is by localizing some portion of the expenditure; and we are prepared to suggest a plan by which, at a very small outlay, parishes now unaided would obtain adequate assistance. Such a plan would obviate the inexpediency of throwing so large a sum on the central revenue. The benefits of education are to a certain degree local benefits. There can be no doubt whatever that education diminishes pauperism, and that it tends to improve a population in every point of material well-being. These are advantages which directly touch the proprietors of the neighbourhood, and towards the extension of which they should be willing to contribute. If upon the whole

this duty is neglected (and our evidence proves that it is fulfilled very unequally), it is the business of the State to provide that one place shall not by neglecting to bear its own burdens increase those of others.

Nor is this all. If education is to be paid for locally, those who pay for it should have a due share in the control of it. At present our evidence goes to prove that it would diffuse both a greater interest and a healthier tone in education, if other persons besides the clergy took an active part in it.

3. *Defective Teaching.*—The third considerable defect in the system of the Privy Council, and one which would be felt more strongly if it were extended to most of the smaller schools in the country, is the imperfect teaching of elementary subjects. We have endeavoured to show that no plan of examination, available by the committee of council, has any direct tendency to counteract this danger; that inspection looks rather to the general character of the school than to the particular attainments of the younger children, and that to enable it to *examine* these, in the true sense of the word, would demand a large increase in the number, and consequently in the expense of the inspectors; and, finally, that hitherto the teaching of training schools has mainly adapted the young schoolmaster to advance his higher rather than thoroughly to ground his junior pupils. We believe that to raise the general character of the children, both morally and intellectually, is, and must always be, the highest aim of education; and we are far from desiring to supersede this by any plan of a mere examination into the more mechanical work of elementary education, the reading, writing, and arithmetic, of boys below ten years of age. But we think that the importance of this training, which must be the foundation of all other teaching, has been lost sight of; and that there is justice in the common complaint that while a fourth of the scholars are really taught, three-fourths after leaving school forget everything they have learnt there; and we are desirous to suggest inducements by which the schoolmaster, while still chiefly interested in completing his work with his elder scholars, shall find it worth his while to give that sound foundation to the younger boys which shall enable them, if so minded, afterwards to complete their education for themselves.

4. *Complication of Business in the Office.*—The only remaining question with regard to the possibility of extending the present system, is whether, if it were to include the whole country, it could be managed by the central office. Upon this point we must direct particular attention to the opinions expressed by Mr. Lingen, who, as secretary to the committee of council, has been for the last ten years intimately conversant with the work of the office. Mr. Lingen's opinion is that responsibility for minute details, which the present system imposes upon its administrators, would make it a matter of extreme difficulty, without such alterations as he suggests, to bring all the schools of the country under its supervision. Mr. Lingen's words are the following:—"Vice-presidents, who have been in the committee of council, and have seen other departments on a large scale, would state that the complication of the system is far greater than they have seen anywhere else," and he adds, "I think that if you were to follow out the present system, with its local and denominational subdivision, and with its detailed appropriations, it would break down at its centre, unless you provided a much greater establishment than either Parliament or the country would be willing, in the long run, to agree to." It might appear that, as in those

public departments which deal with the application of broad principles of administration, little more would be required for the management of an increasing amount of detail than an increase in the number of subordinate officers. But upon this point Mr. Lingen's explanation is full, and, when examined, appears to be convincing. In substance it amounts to this: that the Education Office, as at present constituted, differs from every other department of Government in three leading points; *first*, in the minute details which the plan of appropriating grants to special objects necessitates; *secondly*, in the care and consideration required for conducting business between an office, and six or seven thousand independent bodies of school managers; and, *thirdly*, in the danger of delegating this work to subordinates, and the necessity that the greater part of it should pass under the eyes of the secretary himself. And when we consider how much these points involve,—the amount of vigilance required by a central authority in controlling a grant locally administered; the constant demands for additional aid upon special grounds, which have each to be separately considered; the liability to mismanagement and fraud in appropriating the grants, and the care required for their transmission; the disputes which must often arise between managers, inspectors, and the committee of council, with regard to the payment or the withdrawal of grants; and further, that these intricacies of arrangement, which have proved so great already, would be quadrupled if the work of the office embraced the whole of England, we do not think that Mr. Lingen's opinion as to the difficulty of making the present system do the work of the whole country is overrated.

Summary.

Our review of the existing system has led us to the following conclusions:—We have seen that its leading principles have been to proportion public aid to private subscriptions, and to raise the standard of education by improving the general character of the schools throughout the country; that it has enlisted, in the promotion of education, a large amount of religious activity, and that, avoiding all unnecessary interference with opinion, it has practically left the management of the schools in the hands of the different religious denominations. In these respects it has been most successful. But we find that it demands as a condition of aid an amount of voluntary subscriptions which many schools placed under disadvantageous circumstances can scarcely be expected to raise; that it enlists in many places too little of local support and interest; that its teaching is deficient in the more elementary branches, and in its bearing on the younger pupils; and that while the necessity of referring many arrangements in every school to the central office embarrasses the committee of council with a mass of detail, the difficulty of investigating minute and distant claims threatens to become an element at once of expense and of dispute. We find further that Lord John Russell, one of its leading supporters, asserted in Parliament that "it was not intended by those who in 1839 commenced the system that its plan should be such as to pervade the whole country;" we see that it has been found necessary to break in upon its original principle of proportioning aid to subscription, and that this leads to a vast increase of expense, and we therefore conclude that if the system is to become national prompt means should be taken to remedy defects which threaten to injure its success in proportion to its extension, and to involve the revenue in an excessive expenditure. We now, therefore, proceed, in

accordance with your Majesty's instructions, to suggest the further measures which, in our opinion, "are required for the extension of sound and cheap elementary instruction to all classes of the people." We shall propose means by which, *in the first place*, the present system may be made applicable to the poorer no less than the richer districts throughout the whole country; *secondly*, by which the present expenditure may be controlled and regulated; *thirdly*, by which the complication of business in the office may be checked; *fourthly*, by which greater local activity and interest in education may be encouraged; *fifthly*, by which the general attainment of a greater degree of elementary knowledge may be secured than is acquired at present.

§ 3.—*General Plan for modifying and extending the present System.*

Before we proceed to explain the principles upon which we shall recommend extensive alterations and additions to the present system, it may be desirable to state in detail the leading features of the plan which we propose.

General Principles.

1. All assistance given to the annual maintenance of schools shall be simplified and reduced to grants of two kinds.

2. The first of these grants shall be paid out of the general taxation of the country, in consideration of the fulfilment of certain conditions by the managers of the schools. Compliance with these conditions is to be ascertained by the inspectors. The second shall be paid out of the county rates, in consideration of the attainment of a certain degree of knowledge by the children in the school during the year preceding the payment. The existence of this degree of knowledge shall be ascertained by examiners appointed by the county board of education hereinafter mentioned.

3. No school shall be entitled to these grants which shall not fulfil the following general conditions. The school shall have been registered at the office of the privy council, on the report of the inspector, as an elementary school for the education of the poor. The school shall be certified by the inspector to be healthy, properly drained and ventilated, and supplied with offices; the principal school-room shall contain at least eight square feet of superficial area for each child in average attendance.

Distribution of the Grant from the State Fund.

4. There shall be paid upon the average attendance of the children during the year preceding the inspector's visit the sums following, for each child, according to the opinion formed by the inspectors of the discipline, efficiency, and general character of the school. In schools in which a certificated teacher has been actually employed for nine calendar months in the preceding year, containing less than 60 children, not less than 5s. 6d. nor more than 6s.; containing more than 60 children, not less than 4s. 6d. nor more than 5s. There shall also be paid an additional grant of 2s. 6d. a child on so many of the average number of children in attendance throughout the year as have been under the instruction of pupil-teachers qualified according to Rule 6, or assistant teachers, allowing 30 children for each pupil-teacher, or 60 for each assistant teacher.

5. Registers of the attendance of children, and of such other particulars as shall be contained in a form to be authorized by the committee of council for education, shall be kept in every school claiming the grant, and the managers shall certify that the list of scholars on account of whom the grant is claimed is correctly extracted from the register, and it shall be verified by the inspector.

6. Qualified pupil-teachers are those who are apprenticed to the principal teacher of the school for from three to five years, have passed the pupil-teachers' examination hereinafter described, and have satisfied the inspector as to their behaviour, their power of teaching, and their power of reading aloud. No child shall be apprenticed as a pupil-teacher under 13 years of age.

7. General examinations of pupil-teachers shall be held half-yearly. The subjects shall be selected and the papers furnished by the committee of council.

Grant from the County Rate.

8. Every school which applies for aid out of the county rate shall be examined by a county examiner within 12 months after the application.

Any one of her Majesty's inspectors of schools under whose inspection the school will fall shall be entitled to be present at the examination. The examiner shall examine every child presented to him for examination individually in reading, writing, and arithmetic, and shall make proper entries in the schedule. After the examination the examiner shall make two copies of the schedule, of which he shall forward one to the county treasury, and leave the

other with the principal teacher, or with a manager of the school. The managers of all schools fulfilling the conditions specified in Rule 3 shall be entitled to be paid out of the county rate a sum varying from 22s. 6d. to 21s. for every child who has attended the school during 140 days in the year preceding the day of examination, and who passes an examination before the county examiner in reading, writing, arithmetic, and who, if a girl, also passes an examination in plain work, according to the schedule appended hereto, and marked A. Scholars under 7 years of age need not be examined, but the amount of the grant shall be determined by the average number of children in daily attendance, 20s. being paid on account of each child. The two grants together are never to exceed the fees and subscriptions, or 15s. per child on the average attendance. We have entered into these calculations because we thought it our duty to form as exact an estimate as we could of the ultimate expense of the measures which we recommend; but we cannot pretend to specify all the details of administration which will almost inevitably modify, in some degree, the estimate we have formed.

County and Borough Board of Education.

9. In every county or division of a county having a separate county rate there shall be a county board of education appointed in the following manner:—The Court of Quarter Sessions shall elect any number of members not exceeding six, being in the commission of the peace, or being chairmen or vice-chairmen of boards of guardians; and the members so elected shall elect any other persons not exceeding six. The number of ministers of religion on any county board of education shall not exceed one-third of the whole number.

10. In corporate towns which at the census last preceding contained more than 40,000 inhabitants, the town council may appoint a borough board of education, to consist of any number of persons not exceeding six, of which not more than two shall be ministers of religion. This board shall within the limits of the borough have the powers of a county board of education.

11. Where there is a borough board of education the grant which would have been paid out of the county rate shall be paid out of the borough rate or other municipal funds.

12. The election of county and borough boards of education shall be for three years, but at the end of each year one-third of the board shall retire, but be capable of re-election. At the end of the first and second years the members to retire shall be determined by lot. The court of quarter sessions, at the next succeeding quarter sessions after the vacancies made in the county board, shall fill up the places, but so as always to preserve as near as may be the proportion between the number chosen from the commission of the peace and from the chairmen and vice-chairmen of the board of guardians and the other members. The vacancies in the borough boards of education shall be filled up by the town council at a meeting to be held within one calendar month from the day of the vacancies made.

13. An inspector of schools, to be appointed by the committee of council, shall be a member of each county or borough board.

14. The boards of education shall appoint examiners, being certificated masters of at least seven years standing, and receive communications and decide upon complaints as to their proceedings.

Payment.

15. Grants shall be paid in the following manner:—The inspector shall report to the committee of council the amounts payable to schools in his district out of the central grant. The committee of council shall send to the county and borough treasurers a statement of the schools, and of the amounts payable to them in their county or borough, and shall transmit to them the total amount payable out of the grant to all the schools in their county or borough. The managers of every school intending to claim grants from the county rate shall, in the month of January in each year, forward to the clerk of the peace or town clerk a claim, stating the maximum number of scholars on whom grants will be claimed, and the name and address of some banker to whom the amount ultimately found due to them may be paid; and the payment made out of the county rate shall not exceed the maximum payable on the number of scholars mentioned in the claim. The county or borough treasurer shall pay into the bank so named the total amount to which the school is entitled from both funds. The school managers shall be able to draw upon these amounts by drafts, signed by two managers or trustees, made payable to the order of the payee, and stating on the face of it the purpose for which the money is paid. The bankers shall forward the cancelled drafts to the county treasurer, who shall cause a classified summary of them to be published.

§ 4.—Considerations in favour of proposed Plan.

We now proceed to consider the plan, of which we have given an account in the preceding pages. It will best be treated under the two heads of—I. Simplification and limitation of the present grants of the committee of council. II. Objects to be attained by an additional grant from the county rates.

Simplification and Limitation of the present Grants of the Committee of

Council.—Our proposals under this head may be summed up in the recommendation that a grant, on the average attendance of the children, shall be paid by the committee of council to the managers of every school in which a certificated teacher is employed, and that a further grant shall be paid to every school which is properly supplied with pupil-teachers, provided that the schools in both cases are certified by the inspectors to be in proper condition. In this manner we hope to maintain that principle of the committee of council, of which we have always recognised the importance, which has aimed at keeping up the standard of education, by making the employment of trained masters and pupil teachers essential to the reception of their grants. We regard this as the proper province of the committee of council. They have the control of the training colleges; they regulate the instruction of the pupil-teachers; and their representatives, the inspectors, are peculiarly fitted by their position and experience to appreciate the differences which, independently of positive acquirements, distinguish a good school from a bad one. We propose that the sums to be thus paid for trained masters and pupil-teachers may be increased or diminished within certain limits to be determined by the committee of council, according to the inspector's opinion of the condition of the school. This is a necessary provision to invest the inspector's opinion with importance; at present everything depends upon the inspector's report, and as the form in which we propose that the grant shall be given will have a tendency to diminish the importance of this report, we wish to attach a special value to it by the above means.

Our principal object in thus recommending that, subject to these stringent conditions, the grant to all schools in connection with the committee of council shall be paid in one sum to the managers, rather than appropriated (as at present) to particular objects, has been to relieve the office of a great part of its connection with the internal management of schools, and thus to simplify its business, and to relax what has been often complained of as "the rigidity" of its rules. It is, for example, an injustice attendant upon those inflexible rules which are essential to a central system, that the payment for the support of a pupil-teacher should be the same in Wales or Cornwall, where living is cheap, as it is in London, where living is dear. Local management would obviate many such defects; and important as it is to secure the employment of trained masters and pupil-teachers, these advantages can be obtained in a manner far less embarrassing to the committee of council, and not less simple, than at present.

The mode of payment which we recommend would obviate the inconveniences and attain the objects here mentioned. Under the present system, as the committee of council has no local organization to assist it, the precaution adopted in paying both pupil-teachers and masters, though cumbrous and inconvenient in the extreme, is perhaps indispensable. Upon the plan which we propose the payments would be extremely simple. The committee of council would pay all the annual grants due for all the schools in a county or borough to the county or borough treasurer. The treasurer would pay them to the account of the separate managers at the banks which they might select, and the managers would obtain the amounts which they required by drafts payable to the order of the payee, and expressing on their face the purpose for which the money was required. Thus, "Pay to A. B., or order, 15*l.*, being the amount of his wages as a pupil-teacher in school, from to ." The bank would

not cash the draft unless it purported to be for a purpose connected with the school, nor without the endorsement of the payee. Thus the money could not be misapplied without forgery or conspiracy, and the cancelled drafts would at once form vouchers for the proper expenditure of the money, and enable the county treasurer to account for the expenditure of all the public money received by schools in his county. Tabular or even detailed statements might be published in the local papers, and would furnish an effectual guarantee against misappropriation, and useful statistical information as to the expenses of schools.

The objects which we hope to secure by the form in which we recommend that henceforth all grants from the council office shall be given to schools are,—*first*, to maintain, as at present, the quality of education by encouraging schools to employ superior teachers; *secondly*, to simplify the business of the office in its correspondence and general connection with schools in receipt of the grant; *thirdly*, to diminish the rigour and apparent injustice of some of its rules. These alterations might stand alone; and if we added to them a proposal to limit the grants of the council office to the average sum now given, they would probably have the effect of allowing the present system to extend itself slowly, and to embrace, in the course of time, a large number of schools now unconnected with it. They would be an improvement of the system on its present basis; but they would not in our opinion supply the requisite means by which the basis itself would be widened; in other words, by which the public aid would be extended to a large body of the poorer schools, both in town and country, which do not seem likely within any assignable period to be in a position to meet the requirements of the council. Nor would they have any direct tendency to remedy those defects in the present teaching of schools of which we have spoken. The means for attaining these further objects, it will be the aim of the second part of our plan to suggest.

Objects to be attained by an additional Grant from the County Rate.—The second part of our scheme is that a grant shall be paid out of the county rate, in respect of every child who passes an examination in reading, writing, and arithmetic, and who has attended any one school whatever for 140 days in the preceding year. This grant would be independent of any conditions whatever, except that the school was open to inspection and was reported healthy. We propose that the examination shall be conducted not by inspectors, but by examiners; and that these shall be appointed by a county board, in the manner above described, whose business it shall be to make arrangements as to their districts, and to hear and decide upon any complaints which may be brought as to undue severity or laxity in the examinations. The direct effects which we anticipate from this recommendation are, *first*, that such a measure will enable many schools to obtain public aid which at present have no prospect of doing so; *secondly*, that it will excite local interest, and secure as much local management as is at present desirable; and, *thirdly*, that the examination will exercise a powerful influence over the efficiency of the schools, and will tend to make a minimum of attainment universal. We shall consider these points in their order.

1. Schools in the smaller and more destitute places would obtain assistance. We have found that the principal obstacle which has prevented the committee of council from assisting schools in places which *prima facie* would appear most to stand in need of aid, arises from the fact that any

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extension of assistance to meet exceptional cases is sure to pass rapidly into an universal rule, involving much waste of public money. This difficulty we believe to be one from which a central office called upon to meet local and distant demands can never escape. We have therefore been led to look for some principle on which assistance can be offered to poorer schools, whether in town or country, without violating the rule which has hitherto directed all Government grants to education, that no public assistance shall be given to schools except in proportion to their own exertions to meet it. With this view we propose to offer a premium upon every scholar, upon proof given of a definite amount of knowledge, no condition being required from the school except its being clean and healthy. Such a plan would, we believe, act directly upon most of the smaller schools in the country, not only by encouraging them to improve their teaching, but by giving them that pecuniary *locus standi*, which is what they may justly require as the means for raising themselves to the higher level of the Government grant. Thus a school of fifty boys which should obtain 8*l*. or 10*l*. from this examination, would receive both an aid and a stimulus which would induce it to make greater exertions. No other mode of assistance appears to us appropriate. We have already shown that such schools often demand, at present, an extent of support which amounts to asking that the duties which are neglected by the proprietors of the neighbourhood should be paid for by the rest of the community. But the answer of the committee of council to the Hereford memorialists in 1856, and to the Coventry memorial in 1859, proves conclusively that few places are in such a condition that they could not, with the aid we now suggest, gradually increase the resources of the schools so as to meet the requirements of the committee of council. And we believe that if our proposal was adopted it would induce the great majority of them to do so. We are thus led to recommend this method of proportioning assistance to exertion as one which would adjust itself to the comparative wants of different schools, while it would be free from the charge of wasting the public money, which may be urged with truth against most of the plans proposed for relieving the more destitute districts. We have already given evidence to show that the claims of many such places to assistance are real; and if this is granted, we may fairly ask by what means, unless the sound principles of the present system are utterly disregarded, any assistance can be given except on such a plan as we now suggest. We have examined some of the principal methods by which it is usually proposed to attain this object. We have seen that one of the most matured plans amounts to a demand that parishes with a population below 600 shall obtain 73*l*. if they can raise 40*l*., while the neighbouring parish of 650 is to raise 50*l*. and to receive in turn 23*l*. By such suggestions (and most of the suggestions agree in demanding similar subsidies), supposing the parishes with a population below 600 to be 7,000 in number, we should add by a single measure at least 300,000*l*. a year to the amount of the present grant. A more reasonable proposal, indeed, has been suggested by Mr. Fraser, who, fixing upon a lower level for aid, recommends that a grant should be made from the Treasury of 10*l*. or 15*l*. a year to all parishes with a population below 400; and he adds, "that the effect which such an additional outlay properly distributed would have upon the condition of the school is incalculable." Even this point, unless the conditions were stringent, may well be doubted; but the proposal is only another instance of the difficulty

of *giving* relief without violating the principles of justice. Thus, the number stated by Mr. Fraser makes his plan almost exclusively applicable to rural districts; and there are many parishes in the more populous and destitute part of towns where it is even more difficult to support a school. How could such parishes with a population of 5,000 be refused assistance, while all rural parishes with a population of 400 were invited to dip their hands in the public purse? Or, again, on what principles are we to subsidize a poor parish of 400, and exclude a rich one, which may urge "exceptional claims?" Upon the principle which we have recommended, all would profit alike in proportion as their efforts tend to increase the healthy activity of the school; and we are unable to point out any other on which justice would be equally dealt out to all.

2. Local interest would be directed to education. It is a defect in the existing system that it has not in effect sufficiently awakened a general local interest. Our own proposals, we believe, would effect this, and would bring the condition of schools into public notice by testing the results of their teaching without any interference with their management. These benefits we expect to accrue from the working of a county board, and of the similar board which we propose to establish in certain boroughs. We have shown how excessive are the details of business from which we propose to relieve the council office, and some portion of this, together with a general control over yearly examinations, would come into the hands of the county and the borough boards. This would give them a considerable place in education; and while they would have no claim to interfere with the management of schools, a moral influence of publicity would be exercised, which would be beneficial to their working. At the same time, nothing would tend more directly to bring the many neglected districts in which assistance to education is given scantily or irregularly under the legitimate influence of the public opinion of the neighbourhood. The reports of the inspectors can hardly be said to have any public circulation, but boards of education in counties and in boroughs would publish their annual report of the examinations of their schools, and would secure a more judicious attention to the condition of such schools than any other tribunal we can suggest. The areas, and the bodies from which these boards are to be appointed, appear to us the only ones likely to secure a class of local administrators to whom so delicate a subject as education could be safely intrusted. In arranging the constitution of the county boards we have attempted to secure the presence of persons whose standing, experience, and local knowledge would give weight to their proceedings and insure their interest in their functions. We think, also, that in most counties persons will be found who, without holding any official position, have much experience of popular education and take great interest in it. We propose, therefore, that the other members of the county board should have the power of associating with themselves any number of such persons not exceeding six. And we propose that in addition an inspector selected by the committee of council shall have a seat upon this and upon the borough board. In the smaller counties it might be difficult or inconvenient to have a board composed of twelve members. We have, therefore, in each case, left the electors the option of appointing a smaller number of members than the full number.

3. The examination will give an impulse to the poorer schools, and secure proper teaching. From the plan of an examination we anticipate

the double advantage that while it will maintain the only sound principle upon which schools ought to obtain additional aid, it will at once stimulate and improve the character of their teaching. On the first point we have spoken fully; with regard to the latter we need only repeat our belief that the present defects of teaching and inspection aggravate one another, and that, till something like a real examination is introduced into our day schools, good elementary teaching will never be given to half the children who attend them. At present, the temptation of the teachers is to cram the elder classes, and the inspection is too cursory to check the practice, while there are no inducements to make them attend closely to the younger children. We have repeatedly recognized the value and the important functions of inspection, and entirely agree with the description of its objects given by Sir J. K. Shuttleworth: but to assert that it is a real examination, and that an inspector can examine 150 boys individually in less than two hours, is obviously absurd. On the other hand, every one who has been at a public school knows how searching and improving is the character of a careful examination, even down to the very youngest children, of eight or nine years old. We believe that such an examination would be equally efficient in our humbler schools, and would impart a practical and real character to their teaching, which even the poorest child, paying in part for its education, has a right to expect. We have carefully considered all that may be urged against such a plan, both upon the ground of its employing the agency of schoolmasters, a class inferior to the present inspectors, and of the probable variations in the standard which so large a body of examiners will create. With regard to the first point, we consider it to be one of the most valuable parts of inspection that the inspector, moving in the same class of society, understands the objects and the feelings of the managers of schools. It would be a great mistake to introduce a person of inferior manners and education as an adviser or an authority into the schools. But nothing of this sort is contemplated. The inspector will still form his estimate of the condition of the school, and regulate by his report a portion of its payment. The work of the examiner will be of a limited and technical character, and will give no room for the expression of opinion as to the school, and still less for interference with its arrangements. Meanwhile we regard it as a real though subordinate advantage that this occupation would give employment to persons of the class of schoolmasters whose prospects in life are of a somewhat unvaried character, and whose position (as we have already shown) is subject to disadvantages. The proposed examination will be in reading, writing, and arithmetic only, but we are well aware that simple as such an examination may appear, there will probably at first be considerable variation in the standard among a large body of examiners. This, however, is an evil incident to every kind of examination. Every one, for example, is aware that even in the universities it is impossible to maintain an invariable standard, and great complaints on this subject are often made with regard to inspection; but this is one of the objections which may be brought against every plan, and which must not be allowed to outweigh counterbalancing advantages. In the present case, if we were able to enter into details, it would be easy to explain the means by which the difficulty can be met as soon as the system is in action. For example, the only part of the examination which need be conducted *viva voce* is the reading; the writing and arithmetic would be done upon paper, and would be occasionally

looked over by the examiners conjointly, so as to establish a uniform standard. But this is not the place to enter into minute details. We have satisfied ourselves by careful inquiry that an examination of young children in elementary subjects would be attended with fair and just results; and without speaking of these subjects as the *only* ones of importance in schools, we believe them to be essential to their perfect success, and to be at present greatly neglected. A charge on the county rate such as we propose will not, we trust, be liable to the objections which may be urged against a parish rate. It will not involve the embarrassments connected with the religious character of schools, which have greatly contributed to the defeat of the various schemes for the establishment of general rating systems. It will not entail the transfer of the management of schools to the hands of a large and mixed body of ratepayers; since the limited powers which we propose to place in local hands will be placed in the hands of the most highly educated classes. Being raised on a large area, it will not, we hope, supersede parish subscriptions, as a system of parish rating would tend to do: and so far as it redistributes the burthen of maintaining the schools, as between the clergy and the owners of land, the evidence shows that it does so in the interest of justice. It may be urged that, like a parish rate, it falls exclusively on rateable property; but, as education undoubtedly diminishes pauperism, it has a direct tendency to lighten the poor rate; and scarcely any impost, local, or general, can be named, the incidence of which is perfectly fair.

The Independence of Religious Teaching, and of the Management of Schools.—In concluding this part of our plan we must state that as we have wished, in relieving the council office of its complication of business, and in enabling it to extend its operations over the whole country, to preserve the leading features of the present system,—we especially adhere to the principles to which it is indebted for no small part of its success, non-interference both in the religious training which is given by different denominations of Christians, and absence of all central control over the direct management of schools. Omitting all other grounds on which we think this course desirable, our present inquiry has impressed us with the conviction that no other is practicable in the present state of religious feeling in England. Not only does it seem to us certain that the members of all religious bodies would be dissatisfied with any change in this respect; but the fact that religious education has been working with success upon this basis during the last twenty years has given to this principle a position in the country from which any attempt to dislodge it would destroy much that has been gained, and would give a dangerous shock to our system of education.

While, however, we have deemed it a matter of the highest importance to leave the religious teaching in schools assisted from public funds to the exclusive decision and control of the managers, we feel ourselves compelled to notice a serious evil incident to this arrangement. It sometimes happens that in places too small to allow of the establishment of two schools, the only one to which the children of the poor in those places can resort, is placed by the managers under regulations which render imperative the teaching of the Church catechism to all the scholars, and the attendance of all at Church. In such cases it may result that persons of other denominations are precluded, unless at the sacrifice of their conscientious convictions, from availing themselves of educational advantages for their

children, furnished in part by public funds to which as taxpayers they contribute. This is manifestly unjust. We observe that by the Act (23 Vict. c. 11) passed last session, "to amend the law relating to endowed schools," the trustees or governors of every endowed school are from time to time authorised and bound "to make such orders as, whilst they shall not interfere with the religious teaching of other scholars, as now fixed by statute or other legal requirement, and shall not authorise any religious teaching other than that previously afforded in the school, shall nevertheless provide for admitting to the benefit of the school, the children of parents not in communion with the church, sect, or denomination, according to the doctrines or formularies of which religious instruction is to be afforded under the endowment of the said school." If we are not prepared to recommend that the principle laid down by the legislature for the regulation of endowed schools shall be extended to all schools aided by public funds, it is not because we regard it as indefensible on the grounds of justice. But, inasmuch as the evidence before us goes to prove that, on the whole, the practice of exclusion is not now very frequently enforced, and that it is progressively giving place to a more liberal management in this respect, we believe the evil may be safely left to the curative influence of public opinion, and will not necessitate a compulsory enactment. Should events prove that we are mistaken, it may become the duty of the committee of council to consider whether the public fund placed at their disposal in aid of popular education may not be administered in such a manner as will insure to the children of the poor in all places the opportunity of partaking of its benefits without exposing their parents to a violation of their religious convictions.

§ 5.—*Expense of Proposed Plan.*

The principle on which our proposal is based is that all schools shall have a reasonable prospect of earning from public sources one-third of the total expense of educating all children as well as they are educated in the present annual grant schools; the best schools, however, should be able to earn a higher sum, with the limitation that this shall in no case exceed half the amount of their expenditure. The direct annual expense of education for each child varies to some extent, as we shall show, according to the numbers in the school, but its general amount is about 30s. a year. A reasonable prospect ought therefore to be afforded to the average of schools of earning (as they do at present if they are in receipt of annual grants) 10s. per child per annum; but of course, in order to enable the average of schools to do this, the maximum grant obtainable by any one school must be higher than 10s. per child, and we recommend that it never be allowed to exceed 15s. Not many schools, however, would ever attain this maximum, and an average grant of 10s. per child over schools with an average attendance of 1,500,000 children would not be exceeded in many years. If half this sum were thrown on the local taxation of the country, the payment from the rates would be 5s. per child, or 375,000*l.* In addition to this the salaries of the examiners, their travelling expenses, clerks' expenses for the additional duties thrown upon the clerks of the peace and county treasurers, and a certain amount of expense for printing, would have to be provided from the rates. Allowing three examiners for every county in England and Wales, these expenses would stand thus:—Salaries of 156 examiners at 150*l.*, 23,400*l.*; travelling expenses of examiners, 20,000*l.*;

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clerks, &c., 10,000; total, 53,400*l*. Thus the total amount chargeable on the rates from all these payments would not for several years exceed 428,400*l*. Assuming the annual value of the rateable property in England to be about 86,000,000*l*, a rate of 1½*d*. would raise about 447,000*l*, which is above the amount required. Supposing the bulk of the schools should become qualified to avail themselves of the grant, and taking the increase of the population into account, the local grant might reach an average of 5*s*. per child for 2,000,000 children, which would raise the whole local expenditure to about 560,000*l*, or something more than a rate of 1½*d*.

The annual grants to be given upon inspection, together with several other items, would still remain chargeable to state funds. The most important of these would be building grants, inspection, grants to training colleges, and office expenses in London. The building grants will decrease slowly, and we may allow for them 100,000*l*; for inspection there will probably be an increase of one-half, or 60,000*l*; the office expenses are 17,000*l*; and about 75,000*l* will be required by the training colleges, so that the amount of public assistance to be given to popular education will not exceed for several years the following estimate:—

From General Taxation.—Grants for annual maintenance, 375,000*l*; building grants, 100,000*l*; inspection, 60,000*l*; training colleges, 75,000*l*; office, 17,000*l*; miscellaneous, say, 3,000*l*; total, 630,000*l*.

From Local Taxation.—Grants towards annual maintenance, 375,000*l*; expenses of management and examination, 53,400*l*; total, 428,400*l*.

It may be desirable here to repeat that in calculating the expenses of schools, we have estimated the proper number of pupil-teachers as greater than at present. One pupil-teacher for every 30 children seems to us the smallest number which can work a school with thorough efficiency. The original scheme of the committee of council contemplated one for every 25. And when the number was raised from 25 to 40, it was with the hope that the schools would themselves in time supply the deficiency. This of course increases the cost of education, for pupil-teachers cost on an average 15*l*. a year each; but then undoubtedly they constitute the most successful feature of the present system.

To the above estimate must be added the grant to night schools. The amount of this it is impossible exactly to calculate. It is greatly to be desired that night schools should be multiplied; but the assistance they will demand from Government is rather organization than pecuniary support.

It should at the same time be observed that we shall endeavour in a subsequent part (Part v.) of our report to show that considerable assistance may be derived from the charities under an improved system of administration. In places where the charities can be made sufficient, the committee of council, in whose hands we propose to place all these funds, may ultimately withdraw its aid.

§ 6.—*Inspection.*

In the 4th Chapter we have described the advantages with which periodical inspection of the schools is accompanied, and we have shown what are the limits of its utility.

The only point which calls for remark is its denominational character. The inspectors of Church of England schools are always in fact clergymen. The rule upon the subject is contained in an order of council that no

inspector is to be appointed without the concurrence of the archbishop of the province, who may at any time annul the appointment, by revoking his consent. The British and Foreign School Society, the Wesleyan Committee of Education, and the Catholic Poor School Committee, have each a similar veto upon the appointment of the inspectors by whom their schools are to be inspected. The practical result of this is that there are three distinct sets of inspectors, one composed of clergymen for the Church of England, another composed of laymen for Protestant Dissenters and Jews, and a third composed of Roman Catholics for the Roman Catholics. There is thus a threefold division of the country into districts. The districts of the Church of England inspectors on account of their number are of a comparatively convenient size, but the others are very large, and involve some additional expense and some loss of time in travelling. There are only three Roman Catholic inspectors, and the whole country is divided between them. The inspectors of the Church of England inquire into the religious as well as the secular instruction given in the schools. The inspectors of other schools do not. The adoption of a local instead of a denominational distribution of inspectors would have advantages in point of convenience and economy. But we cannot recommend such a measure, because we feel convinced that the managers of a great majority of schools would object to being placed under the inspector or examiner of a different communion from their own. Neither do we propose to disturb the existing regulations on the appointment of inspectors, as they are considered of importance by the different religious communities, and as they are not used in an illiberal spirit.

With regard to the subjects of instruction to be inquired into by the inspectors, however, the majority of us think that the rule should be made uniform, and that the inquiries of the inspectors should be confined in all cases to the secular instruction; leaving the religious instruction to be secured and inquired into by the authorities of the religious communities to which the school belongs. The Church of England schools would then be in the same position as those of the Roman Catholics and of the Protestant Dissenters. Their religious instruction would be inquired into by members of their own church, an inquiry which the majority think might be appropriately and safely left to diocesan inspectors. The minority are of a different opinion. They think that to prohibit the inspectors appointed by the committee of council from examining religious teaching in Church of England schools would, under present circumstances, be attended with serious evils, and that such a course would tend to injure the religious teaching of the schools. In their judgment there is no ground for expecting that the diocesan inspection can be armed with such power and authority as to make it safe to dispense with the religious inspection of the inspectors of the committee of council. We have discussed the question among ourselves at the length which its great importance deserves. As it is one which has long been before the public, we do not think it necessary to state the arguments on either side; and as we are nearly equally divided, we abstain from making any recommendation on the subject.

§ 7.—*Books, Maps, Diagrams, &c.*

The book department of the committee of council still remains to be considered. The teachers of elementary schools are more dependent than those

of the higher schools on the quality of the books. The committee of council has not neglected this important department of the subject. It issues a list, bringing elementary books of all kinds before the notice of managers, and by grants of money assists in the purchase of them. In its printed circular on this subject it states, "that while by the aid of religious associations the managers of elementary schools have generally been enabled to procure a sufficient supply of Bibles and books of religious instruction, other lesson books have often been either wanting or very scantily furnished; and this evil has been increasingly felt since the standard of instruction has been raised by the operation of the minutes of council of August and December 1846. The committee of council on education have therefore acceded to an almost universal sense of the importance of introducing a better supply of such lesson books in addition to the books of religious instruction, and have determined to make grants for this purpose." It proceeds to state, "that the difficulty of school managers does not consist in providing the means of reference to works of a comparatively expensive character, but in putting class books into the hands of each scholar, and furnishing the school with large maps and diagrams for class teaching; it is to such works that my lords have desired to confine the list." Publishers of the books, maps, and diagrams included in the schedules allow a discount averaging about 40 per cent. to those schools which purchase them through the medium of the committee of council, and towards the purchase at the reduced prices, grants are made at the rate of 10*d.* per scholar, according to the average number in attendance during the year preceding the application; provided that no less than 20*d.* per scholar be subscribed, on the part of the school, to meet such grants. Evening schools in connexion with day schools and normal schools are admitted to the benefit of these grants; and evening schools not annexed to day schools and schoolmasters' associations may apply for books at the reduced prices, and, under certain conditions, may receive a grant. Books, &c., may be applied for once a year at the reduced prices; but grants in aid are not made oftener than once in three years. The books may be purchased by the teachers and pupils at the reduced prices; and whenever there is a grant an allowance in proportion must be made to the masters and scholars purchasing the books. The name of every teacher and scholar buying a book must be written, as well as the name of the school, on the inside of the cover and on the title page of the book. In compiling the list the committee of council take as its basis the works submitted to them by educational publishers and societies. They reserve to themselves a liberty of rejection, which is exercised on two grounds: (1) the unsuitableness of the work for elementary education; (2) its belonging to a class too numerous to be comprised within the limits of the list. Among the principal classes of works excluded are works in ancient history, ancient and modern languages, biography, historical and geographical accounts of separate countries, other than England, Scotland, and Ireland; reading lesson books not forming part of a series; collections of vocal music unaccompanied by instruction.

The list undergoes constant revision, and any book which has been on it for three years, and has during that time failed to get into use, is struck off.

The committee of council, in the circular accompanying their list of books, guard themselves, as far as words can guard them, against the assumption of anything like a censorship, or the recommendation of any

particular books. Their principle, which is clearly enough laid down, is to place on their list all books not excluded either by the inappropriateness of the subject, or by the inundation of books of the same description; and to, retain on the list every book once placed there, unless its failure to sell, after three years' experience, shall have practically condemned it.

But though the intention of the committee of council is clear, it is impossible that a Government list should not involve some of the consequences of an authoritative selection both in the way of sanction and of condemnation. Thus, on the one hand, books known to contain errors, and therefore, in their present state, to be unfit for use in schools, are, in effect, to some extent maintained in circulation by the Government which, as it repudiates all censorship, is unable to condemn and remove them; while, on the other hand, classes of books, such as reading books not forming parts of a series, continuous narratives, and biographies, are unavoidably kept out sight, and discountenanced by rules of exclusion the only object of which is to confine the list within feasible bounds.

There can be little doubt that the list has hitherto tended to enlarge the repertory of school books by introducing to managers works of intrinsic merit, from whatever quarter they might proceed; but the point has now probably been reached at which, this good object having been effected, the list, from the necessary exclusion of large classes of works, will begin to restrict the repertory of books rather than to enlarge it.

The machinery of this department must be very expensive in proportion to the grant administered. The whole grant last year was 5,683*l*. To administer this sum, there is a separate office in Great George Street, Westminster, with a staff of clerks. Messrs. Longman's agency for collecting, packing, and transmitting the books amounted to 1,000*l*.

The arrangement we shall propose with regard to the annual grant will supersede the necessity of a special grant on this account. Booksellers will, no doubt, allow the same discount to managers of schools which they now allow to Government; and it will be to their interest to circulate good lists of school books, and to make all desirable arrangements for agency, the expense of which is now incurred by the Government.

We cannot pass from this topic without pointing out the great services which may yet be rendered to popular education by persons possessing the peculiar talent of writing good books for children. Those which have come under our observation, though many of them possess considerable merit, leave much to be desired. This remark is true with regard to reading books especially. It is commonly supposed that reading is the most elementary of all subjects of instruction, yet it is plain that to read with intelligence, correctness, and taste is a rare accomplishment, even among the most highly educated classes, and that it is impossible a child can attain this faculty unless the book used is thoroughly suited to its understanding, and calculated to awaken its interest.

The Irish reading-books are the most popular of all, and their cheapness and completeness as a series have rendered their introduction into the schools of this country almost an era in popular education. Yet schoolmasters have reason to complain that the books of this series abound with words, needlessly introduced, which are quite incomprehensible to a child; that the poetry is taken from inferior sources; that dry outlines of grammar and geography (subjects which should be taught in a separate form) are unsuitably introduced; that the history is epitome, destitute of

picturesqueness, and incapable of striking the imagination and awakening the sentiments of a child. The fifth book is greatly taken up with science in a form too technical for the purpose. If science is to be taught by means of reading books, care must be taken to translate it into familiar language, and to enlist the child's curiosity by illustrations drawn from daily life.

PART II.—EDUCATION OF PAUPER CHILDREN.

Upon this subject the Commissioners considered the education of pauper children under the following heads:—The education of pauper children in workhouses; the education of pauper children in district and separate schools; the education of outdoor pauper children; and they arrived at the following conclusions:—

1. That pauperism is hereditary, and that the children born and bred as members of that class furnish the great mass of the pauper and criminal population.
2. That the best prospect of a permanent diminution of pauperism and crime is to be found in the proper education of such children.
3. That district and separate schools give an education to the children contained in them which effectually tends to emancipate them from pauperism.
4. That the workhouse schools are generally so managed that the children contained in them learn from infancy to regard the workhouses as their homes and associate with grown-up paupers whose influence destroys their moral character and prevents the growth of a spirit of independence.
5. That the arrangements of workhouses are unavoidably such as to make it extremely difficult to procure or to retain competent teachers.

The inference from these premises is, that the only means of improving the condition of pauper education is to compel by law the general establishment of district and separate schools, and that this remedy is efficient the experience of the district and separate schools already established proves conclusively. With respect to the children of outdoor paupers, our principal conclusions are, that a large proportion of them are utterly destitute of education, that the existing law gives the board of guardians the power, with the consent of the parents, to remedy this, but that, from whatever cause, they do not do so. That the children are, as a class, in a condition almost as degraded as that of indoor pauper children, and that the remedy for this state of things is to be found in making it compulsory on the guardians to insist on the education of the child as a condition of outdoor relief to the parent and to provide such education out of the rates.

PART III.—EDUCATION OF VAGRANTS AND CRIMINALS.

The earliest attempts in this country to make special provision for the education of children of this class were made by the Philanthropic Society, which was founded in 1788, and incorporated by Act of Parliament in 1806. After some changes the society established schools in St. George's Fields, nearly opposite Bethlehem Hospital, in which criminal children and children likely to commit crime were instructed in a manner closely resembling that which is at present generally established in workhouse schools. The boys were taught trades, and the girls prepared for service. In 1849 the schools were removed to Redhill, where the children have been

employed since the removal in agricultural work, and in the shoemaking, tailoring, &c., required for the use of the establishment.

Public attention having been directed to the subject, partly by this school, partly by reports of the operations of similar institutions on the continent, and by other means, a considerable number of establishments of various kinds were founded for the benefit of the class of children in question up to the year 1854. The most important of these institutions were reformatories, in which the inmates were boarded, lodged, and subjected to a sort of discipline not unlike that of a prison; homes or refuges, which were conducted on the same general principles as reformatories, though usually on a smaller scale; and ragged schools, which were intended for the instruction of children whose parents either could not or would not pay the fees, and provide them with the clothes necessary for their admission into the ordinary class of day schools.

In 1854 an Act of Parliament (17 & 18 Vict. c. 86) was passed, to provide for the care and reformation of juvenile offenders, which was afterwards extended by the 20 & 21 Vict. c. 55. These Acts are applicable to children actually convicted of crime.

A considerable number of the institutions established before these Acts were passed, and amongst others the Philanthropic Society's schools at Redhill, took advantage of them, and thus became certified reformatories, appropriated to the purpose of receiving children convicted of crime. The homes, refuges, and ragged schools still remained in all respects on their former footing. A minute dated June 2, 1856, extended aid to those which were "industrial in their character," of which the scholars were "taken exclusively from the criminal or abandoned classes." The aid consisted in a capitation grant of 50s. a year for every child provided with food, grants for teachers on an exceptional scale, the payment of half the rent, and one-third of the cost of books and materials.

In 1857 the legislature first interposed in order to prevent neglected children from becoming criminals. The Industrial Schools Act of 1857 (the provisions of which are stated below) was passed to carry out this purpose. Its operation was confined to children convicted of vagrancy whom the magistrates were enabled to commit, under certain restrictions, to certified industrial schools, though it was not intended that the schools should be confined to such children.

Upon the passing of this Act, the committee of council repealed the minute of June 1856, and issued the minutes of December 31, 1857, which form the basis of the articles (227-239) in the certified minutes by which the subject is regulated at present.

The effect of these rules has been to exclude from public assistance all ragged schools, except those which give industrial as well as literary instruction, and which are qualified to receive certificates whether actually certificated or not. Hence the institutions intended for the education of the class of children in question may be divided into:—Ragged schools in which industrial instruction is not given and which are therefore unassisted. Ragged schools in which industrial instruction is given, and which may therefore be described as industrial schools, and these are either uncertificated or certificated. Children convicted of vagrancy may be committed to certified industrial schools by magistrates, and detained there by the managers. Reformatories for the education of children convicted of crime.

1. *Non-Industrial Ragged Schools*.—The statistical facts which we have

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collected respecting ragged schools are as follows:—There are in England and Wales 192 week-day ragged schools, containing 20,909 children, of whom 10,308 are males, and 10,601 females. The average number of children in each school is 108·9. There are 14 evening ragged schools, containing 707 scholars, 493 males and 214 females. The London Ragged School Union was founded in 1854. Its total income in 1859 was 5,142*l*.

After a description of the class of children that usually resort to such schools, the commissioners coincided in the opinion of the committee of council that ragged schools should be supported only where they are industrial. And they suggested that the objects which the promoters of such schools propose to themselves may frequently be attained in a manner altogether unobjectionable, viz., by the establishment of cheap day schools which receive assistance from the committee of council.

2. *Industrial Schools*.—Industrial schools are of two kinds, uncertified and certified. The only difference between them is that under the provisions of the Acts of Parliament stated below, the certified industrial schools may receive and detain children convicted of vagrancy, committed to them by the magistrates, or pauper children for whose maintenance and education the guardians may contract. The attendance of other children at both uncertified and certified schools is voluntary. The object of these schools is to reclaim children who from the circumstances of their homes or from neglect, are in eminent danger of becoming criminals, and this object is accomplished by separating them from their connexions, and giving them instruction in some honest means of getting a living. In a few cases the industrial instruction is given, though the separation of the child from its home is not enforced, but in most cases the children are boarded and lodged as well as fed.

The uncertified industrial schools are isolated establishments, supported in many cases by a few charitable persons, and connected with no central society; we have therefore been unable to obtain any precise account of their number. The number of those aided by the committee of council under the rules just quoted is 36.

They contain 2,822 children, of whom 1,647 are males, and 1,175 females. Their total income for 1860 was 21,541*l*. 4*s*. 9*d*.; their total expenditure, 21,595*l*. 8*s*. 2*d*. The two last grants which they received from the committee of council were 3,570*l*. 2*s*. 1*d*. in 1859, and 2,122*l*. 9*s*. 11*d*. in 1860. In 18 the number of inmates did not exceed 50, and in 9 it was under 25. Three of the remaining 18 are large ragged schools, the children attending which are included in the numbers given at the beginning of this section.

There are in England eighteen certified industrial schools; eleven of these are in or near London; two in Liverpool; two in Bristol; one in Manchester; one in York; and one in Newcastle-on-Tyne. The schools contained 1,193 inmates, of whom 574 were males, and 619 were females; 171 of the whole number were received under the sentence of magistrates. The income of the schools for 1860 was 20,599*l*. 19*s*. 9*d*.; the expenditure, 19,717*l*. 0*s*. 11*d*. and the last two grants received from the Government were 4,264*l*. 13*s*. 7*d*. and 2,938*l*. 17*s*. 9*d*.

They are founded and mainly supported by private benevolence, and the grants which they receive from the committee of council are made upon the same principle as the grants made to ordinary day schools, though they

differ in amount; that is to say, they promote the efficiency of the schools, but pre-suppose their establishment from independent sources. The children committed to the schools by the magistrates are not only not the bulk of the inmates, but form an inconsiderable proportion of them. It appears that they form almost exactly one-seventh of the whole number (171 out of 1,193); but of these 154 are received in three schools, namely, 100 at Newcastle, 35 in one of the Liverpool schools, and nineteen in one of the Bristol schools, so that the fifteen other certified industrial schools contain only seventeen children under the provisions of the Act. It follows that, except as to three of the schools certified under the Act, its compulsory provisions are inoperative.

The mode of enforcing contributions from the parents to the maintenance of the children in industrial schools has hitherto been open to objection. According to the law as it stood till the last session of Parliament, the magistrates might order the parents to pay a contribution to the managers, or persons authorized by them, not exceeding 3s. per week. The managers were thus charged with the duty of collecting the parents' contributions, and of using legal means to enforce it. By an act passed in the last session it is provided that the magistrates may make the order upon the application of any person authorized by the Secretary of State, although the managers may have made no complaint. The practical consequence of this will be that the Home Office inspector instead of the managers will, as in the case of reformatories, collect the parents' contributions. This is obviously an improvement. Miss Carpenter observes, in her answers to the questions already referred to :—

"The provision that the managers are to obtain the payments of the parents is most objectionable. It establishes a wrong relation between the parents and managers, and is so annoying that it will be felt by most persons to be preferable to give up the money to be so obtained rather than to incur the odium of thus collecting petty payments. In the Bristol school weekly visits to the parents have not obtained anything from more than one out of four, and in that case the father was living separated from his wife, and was previously allowing her 3s. a week for the boy, which was diminished by the magistrates to 2s. 6d., to be paid to the school."

To make the industrial schools an efficient provision for the education of children under special temptations to crime, it would be necessary to extend the Industrial Schools Act, so as to include the class of children described in Mr. Dunlop's Act, but even if that alteration were made we do not think that a sufficient number of such schools would be established to meet the necessity of the case. It appears to us that the object which industrial schools are intended to promote is one which should not be left to private individuals, but should be accomplished at the public expense and by public authority. This results from its character. To take a child out of the custody of its parents, and to educate it in an institution over which they have no control, is a proceeding which must be considered as it affects the parent and as it affects the child. As it affects the parent, it is a punishment for neglect of the most important parental duties. It is always disgraceful, and often severe, for the neglect of parental duty is quite consistent with the presence of strong parental feeling. It is obviously just to add to the disgrace and suffering inflicted by the child's removal the obligation of paying the expense to which the public is subjected in consequence of the parent's neglect.

As it affects the child, the character of the proceeding is altogether

different. It is intended, not for its punishment, for the supposition is that the child has not been convicted of any crime, but for its protection from the consequences of the neglect of its natural protectors. By the act of separating it from those protectors, whatever their character may be, the State puts itself in the place of a parent and assumes parental obligations. Children, therefore, who stand in this position have a distinct moral right to proper education and superintendence at the hands of the State, which again has the right to charge the parent with the expense of providing it.

As we observed in the last part, this is precisely the relation in which the State already stands to indoor pauper children, that is to say, to children who are orphans, or illegitimate, or deserted by their parents. It follows that children who fall within the Industrial Schools Act should be put upon the same footing as indoor pauper children. The only difference between the two classes is, that in the one case the natural protectors of the children are either dead or unknown, while in the other they are judicially declared to be unfit to exercise the authority arising out of their relationship.

The practical objection to taking this course in the present state of things is that the present workhouse schools are in so bad a condition that there is a strong probability that the children who enter them will be corrupted. We have dwelt upon this subject already, and have recommended the general establishment of district and separate schools. We think that when such schools are established they will form the appropriate places of education for the children liable to be committed to industrial schools. If our recommendation be adopted, they will speedily be found in all parts of the country, and will thus afford to every district the resources at present offered by the industrial schools to a few large towns. We propose, therefore, that all district or separate schools for indoor pauper children be declared by Act of Parliament industrial schools within the meaning of the Industrial Schools Act of 1857.

It should be made compulsory on the authorities of the schools to receive such children as might be committed to them, and the children ought not to be liable to be removed, but the union or parish should have a right to recover the expense of the child's maintenance in the first instance from its parents, or if they were unable to pay or not to be found, then from the parish in which the child was settled. We think that the residence of the child in the district school ought not to give it a status of irremovability.

If this recommendation be adopted, the probability is that the necessity for industrial ragged schools will gradually pass away, and that though the present homes, refuges, and certified industrial schools may continue to exist, little addition to their numbers will be required.

In order to avoid the appearance of ingratitude for service of the most valuable, disinterested, and self-denying character, we conclude our observations on this head, by recording our strong opinion that no class of persons interested in popular education have conferred greater services on the public, or services involving greater sacrifices of personal convenience and inclination, than the managers of ragged and industrial schools, and similar establishments.

We think that the time may come when their generous and charitable efforts may advantageously be replaced by a general system, but the fact that they first directed public attention to the subject, and that their labours

showed the extent and urgency of the evil to be met, and the proper means of meeting it, ought never to be forgotten.

3. *Reformatories.*—The total number of certified reformatory schools in England and Wales was, in May, 1860, 47, distributed as follows:—In England, for boys, 35; for girls, 10; for boys and girls, 1; in Wales, for boys, 1.

The number of inmates contained in these institutions on the 31st December, 1859, was 2,594, distributed as follows:—boys, Protestant, 1,622; boys, Catholic, 498; girls, Protestant, 311; girls, Catholic, 163.

The sum expended upon them in the year ending December 31, 1858, was 72,893*l.* 10*s.* 10*d.* Their joint incomes amounted to 74,361*l.* 1*s.* 9*d.*, comprising the following items:—Payments from the Treasury for maintenance, 51,681*l.* 6*s.*; parents' payments through the inspector, 1,603*l.* 19*s.* 11*d.*; subscriptions, legacies, &c., 16,168*l.* 19*s.* 9*d.*; contributions from county and borough rates, 2,601*l.* 19*s.* 8*d.*; payments for voluntary inmates, 1,267*l.* 19*s.* 8*d.*; sundries, 1,036*l.* 18*s.* 11*d.*

The average cost for boys varies from 27*l.* 13*s.* in Warwickshire, to 12*l.* 19*s.* 9*d.* at the Boys' Home, Wandsworth; the average being 19*l.* 5*s.* 7*d.* The cost for girls varies from 20*l.* 13*s.* 3*d.* at Wakefield, to 10*l.* at Arno's Court; averaging 15*l.* 6*s.* 10*d.* The cost depends partly on the number of inmates, and partly on the value of the work done by them. The weekly cost of food varies from 3*s.* 6*d.* in Leicestershire to 1*s.* 9*d.* in Devonshire, and averages 2*s.* 6½*d.* for boys. For girls, it varies from 3*s.* 1*d.* at Birmingham to 1*s.* 10*d.* at Arno's Court, the average being 2*s.* 6*d.* Clothing varies from 1*s.* 10*d.* to 5*d.* a week for boys, and from 1*s.* 8*d.* to 4½*d.* for girls.

Experience only can show whether the number of reformatories is sufficient to meet the necessity of the case. Mr. Turner thinks that the supply of reformatories for boys is probably sufficient. "Many of the reformatories," he says, "are not nearly full; and it is probable that some of the smaller ones will eventually, like the Berks reformatory, be closed, and merged in those of the neighbouring counties, on account of the expense of maintaining them." With respect to girls the case is different. He says, "There is a pressing want for more female reformatories, especially for the metropolis and the south-eastern counties. The only certified school for female offenders near London is the Rescue Society's Home at Hampstead, which is scarcely capable of receiving fifty inmates. Considering that the number of commitments of girls under sixteen for the year ending September 30, 1859, was, for Middlesex, 278, and for Surrey, 143, it is evident that one or two more such schools are urgently required."

The growth of the system proceeded as follows:—There were certified in 1854, 7 reformatories; in 1855, 10; in 1856, 17; in 1857, 10; in 1858, 4; in 1859, 3: total, 61.

4. *Conclusions.*—Our general conclusions upon the subject of the education of children under special temptations to crime and actually convicted of crime are as follows:—

1. That the education of such children should be provided for by public compulsory measures, though the actual process of education may be properly entrusted to charitable persons inclined to undertake it.

2. That the education of children under special temptations to crime should stand upon the same footing as the education of indoor pauper

children, and should be conducted similarly in district and separate schools, though the existing industrial schools should, for the present, remain as provisional institutions.

3. That in order to insure this result the Industrial Schools Act of 1857 should be extended to the classes of children described in the corresponding Act for Scotland, and that all district and separate schools for pauper children should be declared to be *ipso facto* industrial schools.

4. That no further allowance should be given to ragged schools.

5. That the provision made for the education of children actually convicted of crime by means of reformatories is satisfactory, as far as it goes, and that there is reason to believe that it will soon become sufficient without further interference.

PART IV.—STATE SCHOOLS.

Under this head we propose to consider the schools supported by the State for the benefit of the people in its employ, and for their children. They fall under two heads,—1. The military include the garrison and regimental schools for soldiers and their children; the arsenal schools for apprentices; the Duke of York's school, or model school, for orphans and children of soldiers at Chelsea; and the normal school for training schoolmasters attached to that establishment. 2. The naval include the ship schools at the different naval sea-ports, the schools on board sea-going ships, the marine schools, the dockyard schools for apprentices, and the Greenwich Hospital schools. With regard to the military schools, we have not considered it necessary to institute any minute inquiry into them, because we are informed that they are organized under a complete system, being regularly inspected by officers appointed for that purpose by the War Office, and have been lately brought under the immediate superintendence of the Royal Military Council on Education. We therefore relied for our information upon the published reports. We are sorry to say that the only one we have been able to obtain is that issued in 1859, addressed by Colonel Lefroy, R.A., Inspector-General of Army Schools, to the Secretary of State for War. Consequently our remarks must be limited to the information derived from this source, since we have not thought it necessary to examine witnesses orally in this branch of our inquiry.

With regard to the naval branch, one of our own body undertook this inquiry; he personally visited some of the harbour ship schools, the marine schools, and the dockyard schools; and he examined naval officers as to the arrangement for the schools on board sea-going ships. We are, therefore, in a position to make some recommendations on these heads which we believe will very materially improve the condition of the schools under the Admiralty.

Upon these subjects the committee move the following recommendations:

1. That a normal school for the navy be established at Greenwich similar to that for the army at Chelsea; that the present pupil-teachers who are above the age of 18 form the nucleus of this school, and that others, to the number of 10 at first, be admitted after examination; that the course of their education be adapted to their future calling, and that at the close of their career they be examined and receive a certificate of qualification. These men would be fitted to take charge of the navigation schools under

the Board of Trade; they would enter the dockyard schools as assistants at first, and they would be appointed to masterships on board the training ships both in the royal and commercial ports. The expense of this establishment need not be great: by a different distribution the present staff of teachers, together with an efficient principal as recommended by the committee, would be ample for the purpose. Accommodation could easily be found without any additional expenditure, providing the residents who now encroach upon the school premises be desired to withdraw. In the report of the committee it is submitted for the consideration of the Lords Commissioners of the Admiralty, whether the whole of the school buildings and grounds adjoining should not be devoted exclusively to the schools, as was originally intended. At present one of the Commissioners and the Secretary of Greenwich Hospital reside in the school buildings, and a large portion of the grounds is occupied as gardens for the officers of the hospital and schools, who, the committee is informed, retain them only on sufferance, until the ground may be required for the public service. At present the managers are pledged to maintain the pupil-teachers, at all events, from 18 to 20, and if upon one article of clothing alone, as is clearly shown by the committee, 400*l.* per annum may be saved, we suggest that, with the exercise of proper economy, funds would be provided for this purpose without drawing upon the Hospital, although its ample resources might well be taxed for an object so beneficial to the Navy.

2. We recommend that boys be selected from the second class to serve as pupil-teachers under the schoolmaster, according to the number of scholars attending, and that a small allowance be made them, in addition to their pay, if they pass an examination at the end of the year, and providing their conduct is reported to be satisfactory; that at the close of three years they be admitted, if competent for admission, to the Normal school at Greenwich, or that they pass an examination and be entered for continuous service as assistant schoolmasters on board her Majesty's ships to serve under the schoolmaster, with rank, and pay, and pension of first-class petty officer (continuous service).

3. That at the end of two years the assistants be subjected to an examination, and if found competent they be admitted to the practising school at Greenwich for six months at the least, during which residence their time will be devoted more especially to learning the art of teaching and the organization of schools under the head master, but they will be expected to study some one subject, such as navigation, geography, or natural history. During their residence they will receive the pay of first-class petty officers (continuous service), and deductions will be made for their food. At the completion of the training they will go out as royal navy schoolmasters (the name seamen's schoolmaster to cease), who will be divided into three classes. 3rd class,—who shall have the rank and pay of chief petty officer (continuous service); and shall be entitled to the same pension. 2nd class,—who shall rank above master-at-arms and shall receive the same pay and pension (continuous service). 1st class,—shall rank with third class warrant officer with some pay and pension (continuous service); and after long and approved service, masters of this class shall be eligible for further promotion to rank and pay of 2nd and 1st class warrant officers. Schoolmasters in each of these classes to be entitled to 10*l.* per annum in addition to their pay if they are recommended by the captain and chaplain, and their schools are certified to be in an efficient state when examined either by H.M. inspector or by

any other person appointed by the admiral of the station for that purpose. Schoolmasters to be promoted from one class to another for merit, but they will remain for five years in the inferior class, unless specially recommended for promotion. Young men who have passed two years in the normal school at Greenwich may be admitted at once to the second class, if they are appointed to training ships in harbour. Schoolmasters will not be appointed by the captains, but by the admiralty. In addition to the ordinary subjects required of a schoolmaster, the navy schoolmasters should be required to pass an examination in the practice of navigation, physical geography, and natural history. The schools to be inspected and reported upon by her Majesty's inspector, if possible, but if on foreign stations, either by the chaplain of the flag-ship, if a naval instructor, or by any schoolmaster of the first class, who may be appointed by the admiral to that duty, and that the reports be forwarded to the committee of council. We recommend that evening schools be held on board H.M. ships, and that boys of the second class be compelled to attend the day school. The present seamen's schoolmasters may be admitted for the six months' training at Greenwich, if upon examination they be approved. With regard to the dockyard schools, we recommend that their languishing condition be a subject of special attention to the admiralty, that the qualifications of the masters to discharge the duties of their office be ascertained by some independent inquiry, and that efficient assistants be provided. We recommend that the marine schools be placed upon the same footing as the army schools. We recommend that the admiralty and other departments do subscribe to the parochial schools in dockyard and other towns, where they are great employers of labour.

PART V.—CHARITABLE ENDOWMENTS.

In recommending the continued expenditure of public money for the assistance of popular education, we feel it our duty to consider all the existing sources from which aid may be derived. We are thus led (1) to examine the state of the educational charities, and (2) to call attention to a recommendation of the commissioners for inquiring concerning charities (1837), respecting certain charities for the poor which are not at present applicable to education, but which, in the opinion of the commissioners, might be so applied. We employed Mr. Cumin, who had previously been our assistant commissioner for the specimen district of Bristol and Plymouth, to collect information for us respecting both branches of this inquiry.

The conclusions of the commissioners on educational charities are as follows:—

1. That the educational charities are capable of being turned to better account.
2. That of the charities not at present applicable to education, some might, under proper authority, be lawfully and advantageously applied to that purpose.

Our principal recommendations are—

- (i.) That with a view to both the objects above mentioned, and to placing all the educational functions of Government under the same control, the charity commission be converted into a department of the privy council;

that the committee of council on education become the committee of council on education and charities; and that the privy council be invested with the power, to be exercised through the committee, of making ordinances for the improvement of educational charities, and for the conversion to the purposes of education, wholly or in part, of charities which are noxious or useless as at present applied. These ordinances to be laid before the trustees of the respective charities, who may appeal to a committee of the privy council distinct from the education committee, and afterwards to be laid before parliament, in the schedule of a bill similar in form to the inclosure acts. The power not to extend to any foundation during the lifetime of the founder, nor (except with the unanimous consent of his trustees) within twenty-one years after his decease. We recommend that the privy council in the exercise of this power, as regards educational charities, shall direct its attention to—(a.) The adaptation of the instruction given in endowed schools to the requirements of the class to whom it ought to be given. (b.) An improved distribution of the income of endowed schools between the several objects of the foundation. (c.) The employment of a part of a capital fund, where necessary, in the improvement of the school premises. (d.) The extension, where it may seem just and desirable, of the benefits conferred on popular education by free boarding or clothing schools, either by opening the places in them to industry and merit, or by converting them into ordinary day schools, furnishing an education partly gratuitous to a larger number of children. (e.) Extending the benefits of Christ's Hospital. (f.) The abolition or relaxation of injurious restrictions, and the extension of the benefits of educational endowments to adjoining districts; provided that this power shall not affect any restrictions imposed by the founder in regard to the religious denomination of trustees or teachers, or in regard to the kind of religious instruction to be given in the school. (g.) The combination of small endowments. (h.) The changing where it is desirable the sites of endowed schools. (j.) The re-organization of the boards of trustees.

(ii.) That all endowed schools now subject to inspection by the charity commission become subject to inspection by the Privy Council, and that the middle and elementary schools be annually visited and examined by the Privy Council inspectors, and their accounts audited on the spot.

(iii.) That no person shall be appointed to the mastership of an endowed school who shall not have either taken an academical degree or obtained a certificate of competency from some authorized body, and that every appointment shall be certified to, and if duly made, confirmed by the Privy Council.

(iv.) That the Privy Council be empowered in case of need to call upon trustees to institute an inquiry into the state of any endowed school, and in case the master be found inefficient, to empower the trustees to remove him or pension him off; and in the last resort to remove him or pension him off themselves.

(v.) That every appointment of a master to an endowed school be made after public notice, stating the qualifications required, and inviting candidates to send in their names.

(vi.) That instruments of foundation, and other instruments regulating charities, be registered in the office of the Privy Council.

(vii.) In order to facilitate the foundation and endowment of schools for the poor, we recommend—(a.) That a very simple form of instrument for

those purposes be prepared by the Privy Council, and that conveyances made in this form be valid when registered in the Privy Council office. (b.) That the vestry of any parish be empowered to accept a school site and buildings for the use of the parish, and to bind themselves and their successors to keep the buildings in repair.

SUMMARY OF RECOMMENDATIONS.

In drawing their report to a close, the commissioners reverted to the account of the leading institutions for the education of the poor, given in the first chapter; to the character of the teachers, given in the second chapter; to the merits of their instruction; to the regularity of the attendance of the scholars; and to the operation of the laws relating to factory schools, pauper schools, &c. They resumed their observations on the system of inspection; on the working of the system of the committee of council, and on the expense attending it. They reverted to their recommendations as to charities, and as to vagrant and criminal children. They referred to their opinion that their education should be attended to in the same way as that of other humble classes of schools for elementary education.

Finally, they enumerated their principal recommendations as follows:—

1. *Plan for giving Assistance to the Schools of the Independent Poor.*

1. That all assistance given to the annual maintenance of schools shall be simplified and reduced to grants of two kinds. The first of these grants shall be paid out of the general taxation of the country, in consideration of the fulfilment of certain conditions by the managers of the schools. Compliance with these conditions is to be ascertained by the inspectors. The second shall be paid out of the county rates, in consideration of the attainment of a certain degree of knowledge by the children in the school during the year preceding the payment. The existence of this degree of knowledge shall be ascertained by examiners appointed by county and borough boards of education hereinafter described.

2. That no school shall be entitled to these grants which shall not fulfil the following general conditions. The school shall have been registered at the office of the Privy Council, on the report of the inspector, as an elementary school for the education of the poor. The school shall be certified by the inspector to be healthy and properly drained and ventilated, and supplied with offices; and the principal school-room shall contain at least eight square feet of superficial area for each child in average daily attendance.

3. That there shall be paid upon the average daily attendance of the children during the year preceding the inspector's visit as the committee of council shall fix from time to time, the sums specified in part i. chap. 6, p. 312, for each child, according to the opinion formed by the inspectors of the discipline, efficiency, and general character of the school.

4. That there shall also be paid an additional grant of 2s. 6d. a child on so many of the average number of children in attendance throughout the year as have been under the instruction of properly qualified pupil-teachers, or assistant teachers, allowing thirty children for each pupil-teacher, or sixty for each assistant teacher.

5. That every school which applies for aid out of the county rate shall be examined by a county examiner within 12 months after the application, in reading, writing, and arithmetic, and that any one of her Majesty's inspectors of schools under whose inspection the school will fall shall be entitled to be present at the examination.

6. That, subject to recommendation 7, the managers of all schools fulfilling the conditions specified in Rule 3, shall be entitled to be paid out of the county rate a sum varying from 22s. 6d. to 21s. for every child who has attended the school during 140 days in the year preceding the day of examination, and who passes an examination before the examiner in reading, writing, arithmetic, and who, if a girl, also passes an examination in plain work. That scholars under seven years of age shall not be examined, but the amount of the grant shall be determined by the average number of children in daily attendance, 20s. being paid on account of each child.

7. That the combined grants from the central fund and the county board shall never exceed the fees and subscriptions, or 15s. per child on the average attendance.

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2. *County and Borough Boards of Education.*

8. That in every county or division of a county having a separate county rate there shall be a county board of education appointed in the following manner :—The Court of Quarter Sessions shall elect any number of members, not exceeding six, being in the commission of the peace, or being chairmen or vice-chairmen of boards of guardians ; and the members so elected shall elect any other persons not exceeding six. The number of ministers of religion on any county board of education shall not exceed one-third of the whole number.

9. That in corporate towns, which at the census last preceding contained more than 40,000 inhabitants, the town council may appoint a borough board of education, to consist of any number of persons not exceeding six, of which not more than two shall be ministers of religion. This board shall within the limits of the borough have the powers of a county board of education.

10. That where there is a borough board of education the grant which would have been paid out of the county rate, shall be paid out of the borough rate or other municipal funds.

11. That the election of county and borough boards of education shall be for three years, but at the end of each year one-third of the board shall retire, but be capable of re-election. At the end of the first and second years, the members to retire shall be determined by lot. The Court of Quarter Sessions, at the next succeeding quarter sessions after the vacancies made in the county board, shall fill up the places, but so as always to preserve as near as may be the proportion between the number chosen from the commission of the peace, and from the chairmen and vice-chairmen of the boards of guardians and the other members. The vacancy in the borough boards of education shall be filled up by the town council, at a meeting to be held one calendar month from the day of the vacancies made.

12. That an inspector of schools, to be appointed by the committee of council, shall be a member of each county and borough board.

13. That the boards of education shall appoint examiners, being certificated masters of at least seven years' standing, and receive communications and decide upon complaints as to their proceedings.

3.—*Training Colleges for Masters and Mistresses.*

14. That the grants now made by the Government to the training colleges be continued.

15. That the sums paid to Queen's scholars in the training colleges be for the present continued.

16. That the attention of the committee of Privy Council be drawn to the possibility of shortening the hours of study, both for male and female students, in the training colleges.

17. That their attention be also drawn to the importance of giving such a training to all schoolmistresses as shall enable them to give proper instruction to infants.

18. That certain alterations be made in the present syllabus of studies, and, in particular, that more attention be given to political economy, and other subjects of practical utility.

19. That the method of giving certificates of proficiency to teachers be altered as follows :—
(a.) That there be an annual examination at the training colleges, open to all the students and to all teachers actually engaged in schools, public or private, and properly recommended as to moral character. (b.) That the names of those who have passed this examination be arranged in four classes, of which the first three shall, as at present, be each arranged in three divisions. (c.) That any person who, having passed this examination, has for two years subsequently been employed in an elementary school which has, during that time, been twice inspected, shall receive a certificate corresponding to his place in the examination. (d.) That the inspector have the right of reducing the rank of the certificate to any extent if the state of the school at the time of inspection appear to him to require it; and that he also have the right of raising the rank of the certificate by one division if the state of the school appear to him to warrant it. (e.) That the certificates, when issued, be subject to revision at the expiration of every period of five years from their original date, spent in any inspected school or schools, and that the inspector may then alter the certificate according to the state of the school; and that in each of the five years an endorsement as to the state of the school be made by the inspector on the certificate. (f.) Certificates bear no pecuniary but only an honorary value.

4. *Evening Schools.*

20. That, inasmuch as evening schools appear to be a most effective and popular means of education, the attention of the committee of council be directed to the importance of organizing them more perfectly, and extending them more widely, than at present.

21. That for this purpose a special grant be made in schools where an organizing master is employed.

5. *Better Application of Educational and other Charities.*

22. That steps be taken to turn the educational charities to better account, and to apply to the purpose of education some of the other charities which are not at present applicable to that purpose.

23. That with a view to both the above objects, and to placing all the educational functions of Government under the same control, the charity commission be converted into a department

of the Privy Council; that the committee of council on education become the committee of council on education and charities; and that the Privy Council be invested with the power, to be exercised through the committee, of making ordinances for the improvement of educational charities, and for the conversion to the purposes of education, wholly or in part, of charities which are mischievous or useless as at present applied. These ordinances to be laid before the trustees of the respective charities, who may appeal to a committee of the Privy Council distinct from the education committee, and afterwards to be laid before parliament, in the schedule of a bill similar in form to the inclosure acts. The power not to extend to any foundation during the lifetime of the founder, nor (except with the unanimous consent of his trustees) within twenty-one years after his decease.

24. That the Privy Council in the exercise of this power, as regards educational charities, shall direct its attention to—The adaptation of the instruction given in endowed schools to the requirements of the class to which it ought to be given. An improved distribution of the income of endowed schools between the several objects of the foundation. The employment of a part of the capital fund, where necessary, in the improvement of the school premises. The extension, where it may seem just and desirable, of the benefits conferred on popular education by free boarding or clothing schools, either by opening the places in them to industry and merit, or by converting them into ordinary day schools, furnishing an education partly gratuitous to a larger number of children. Extending the benefits of Christ's Hospital. The abolition or relaxation of injurious restrictions, and the extension of the benefits of educational endowments to adjoining districts; provided that this power shall not affect any restrictions imposed by the founder in regard to the religious denomination of trustees or teachers, or in regard to the kind of religious instruction to be given in the school. The combination of small endowments. The changing where it is desirable the sites of endowed schools. The re-organization of the boards of trustees.

25. That all endowed schools now subject to inspection by the charity commission become subject to inspection by the Privy Council, and that the middle and elementary schools be annually visited and examined by the Privy Council inspectors, and their accounts audited on the spot.

26. That no person shall be appointed to the mastership of an endowed school who shall not have either taken an academical degree or obtained a certificate of competency from some authorized body, and that every appointment shall be certified to, and if duly made, confirmed by the Privy Council.

27. That the Privy Council be empowered in case of need to call upon trustees to institute an inquiry into the state of any endowed school, and in case the master be found inefficient, to empower the trustees to remove him or pension him off; and in the last resort to remove him or pension him off themselves.

28. That every appointment of a master to an endowed school be made after public notice, stating the qualifications required and inviting candidates to send in their names.

29. That instruments of foundation, and other instruments regulating charities, be registered in the office of the Privy Council.

30. In order to facilitate the foundation and endowment of schools for the poor:—That a very simple form of instrument for those purposes be prepared by the Privy Council, and that conveyances made in this form be valid when registered in the Privy Council office. That the vestry of any parish be empowered to accept a school site and buildings for the use of the parish, and to bind themselves and their successors to keep the buildings in repair.

6.—*Education of Children employed in Factories, Printworks, Mines and Collieries.*

31. That with a view to prevent the present evasions of the education clauses of the Factory Acts, no certificate of school attendance be considered valid unless the school from which it is issued shall have been declared by an inspector "to be excellent," "good," or "fair," for that purpose: that this declaration be valid for one year, and that lists of the schools, so declared fit to grant certificates, be published in the local papers.

32. That the education clauses in the Act of 8 & 9 Vict. c. 28, with respect to printworks being ineffectual, attention be drawn to the joint report of all the inspectors of factories on the subject (in October 1855), and to the following methods for remedying the defects complained of, namely, the extending the half-time system to printworks; or restricting the children to alternate days of work, the intermediate days being devoted to school.

33. That the legal provisions with regard to the education of boys employed in mines and collieries, being inadequate, inasmuch as they allow the certificates of incompetent masters and provide no tests of competency; the children be compelled to attend at school during the full time specified in the Act (23 & 24 Vict. c. 151); and that (as in the case of factories) no certificate of school attendance be valid, unless the school from which it issued has been declared by the inspector to be excellent, good, or fair for that purpose.

7.—*Education of Pauper Children.*

34. That the influences of workhouses on the children educated within their walls being pernicious, the separation of children from adult paupers be enforced.

35. That as the best means for effecting this, the poor law board be empowered to order

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the hiring or building of district schools. But that in case of any union undertaking to provide a separate school, at a distance of not less than three miles from the workhouse; the order be suspended, and be revoked; if the separate school be established and certified by the inspector of pauper schools to be sufficient.

36. That the poor law board be empowered to order the establishment of a separate school by any union which they do not think fit to incorporate in a district.

37. That in the case of out-door paupers, the guardians be obliged to make the education of the child a condition of the out-door relief of the parent, and to pay the necessary school fees out of the rates.

8.—Education of Vagrants and Criminals.

38. That ragged schools be regarded, as at present, "as provisional institutions constantly tending to become elementary schools;" and that public assistance be continued to those which are also industrial schools.

39. That the English Act for industrial schools being too limited, the Scotch Act (Mr. Dunlop's, 17 & 18 Vict. c. 74) be extended to England.

40. That though certified industrial schools are at present very effective, they should be regarded as provisional institutions; and that children who are peculiarly in danger of being criminal be educated in the district or separate schools for pauper children.

41. That district and separate schools for pauper children be declared to be *ipso facto* industrial schools.

42. That the education of children in reformatories being satisfactorily conducted, the aid given to them be continued.

9.—Education of Children in State Schools.

44. That an annual report upon the army schools be issued and forwarded to the commanding officer of every regiment.

45. That a normal school be established at Greenwich for the navy, similar to the one at Chelsea for the army; and that the students at the close of their career be examined and receive a certificate of qualification.

46. That the pupil-teacher system be introduced into schools under the Admiralty.

47. That a class of assistant schoolmasters and three classes of Royal Navy schoolmasters be established.

48. That ship schools be inspected and reports be made to the committee of council.

49. That evening schools be held on board her Majesty's ships.

50. That the Admiralty do turn its special attention to the dockyard schools, and institute an inquiry into their condition.

51. That the royal marine schools be placed upon the same footing as the army schools.

These recommendations we have now the honour of submitting to your Majesty. They differ in their importance, are many of them independent of one another, and might either be adopted completely and immediately, or partially and gradually. We will only add that, next to the extensive alterations which have been recommended for the assistance of elementary schools, no question has so much occupied our attention as that which relates to the best means of turning to account the charities already devoted to education, and of applying a large portion of other charities to the same purpose. We have shown how large a sum is annually expended under this head, and how large a portion of it is either wasted or mischievously employed. Forty years have passed since Lord Brougham first drew public attention to the subject; and thirty years ago the Poor Law Commission, in a paragraph written by its chairman, the late Bishop of London, pointed out the immense services which the charities might render to popular education. But up to the present time they may be said to have escaped nearly all the attempts which have been made to render them efficient for public purposes. We desire to record our conviction that no scheme for popular education can be complete which does not provide means for adapting a large portion of these charities to its service.

APPENDIX.

CHIEF RESULTS OF THE GENERAL STATISTICAL INQUIRY.

That the statistics contained in this portion of the report may illustrate the general report, step by step, they have been arranged in the order in which the chapters and sections of the latter follow each other. The following are some of the more important statistical results of the general inquiry:—

1. From an estimate furnished by the registrar-general, it appears that in the middle of the year 1858 the population of England and Wales was 19,523,103.

2. The number of scholars of all ages belonging to public and private week-day schools at the same period was 2,535,462.

3. The proportion of scholars, therefore, in week-day schools of *all kinds* to the entire population was 1 in 7·7, or 12·99 per cent. The accuracy of the two branches of the statistical inquiry, which are described at the commencement of this report, is confirmed by the fact that while the returns obtained by the general inquiry, through the medium of the societies connected with education and the various public departments, show a proportion of 1 scholar in week-day schools in England and Wales to 7·7 of the estimated population at the middle of 1858, the returns obtained by the special inquiry, in the ten specimen districts at the same period, show a proportion of 1 in 7·83 of the estimated population of those districts.

4. In France the proportion of week-day scholars to population is 1 in 9·0; in Holland, 1 in 8·11; in Prussia, where elementary education is compulsory, 1 in 6·27.

5. The proportion of scholars in *public* week-day schools only to the entire population was 1 in 11·65, or 8·58 per cent.

6. The proportion of scholars in *private* week-day schools only to the entire population was 1 in 22·7, or 4·4 per cent.

7. The centesimal proportion of scholars in average daily attendance to the total number belonging to the school is, in public week-day schools, 76·1; in private week-day schools, 84·8; in evening schools, 67·6; and in Sunday schools, 74·2. Of the scholars in public week-day schools, 36·3 attended less than 100 days in the year; 57·2 less than 150; and 17·4 less than 50 days.

8. Of the scholars actually present in public week-day schools, 19·3 per cent. were of the age of 12 or upwards, 11·4 of the age of 13 or upwards, and 29·6 of the age of 10 or upwards. If comparatively few go to school for the first time after the age of six, then between a fourth and a fifth remain until they are 12 years old.

9. The number of scholars in *Sunday* schools in England and Wales, in the middle of the year 1858, was 2,411,554, or 1 in 8·1 of the entire population, or 12·3 per cent.

10. The number of scholars in *evening* schools in England and Wales, in the middle of the year 1858, was 80,966, or 1 in 241·13 of the entire population, or 0·41 per cent.

11. It is less important to know the number of schools than the number of scholars. The commissioners define the word school to mean a separate *department* under a separate principal teacher. Thus, an establishment containing a boys', a girls', and an infants' school, they regard not as one but as three schools. According to this definition there were, in the middle of the year 1858, in England and Wales, 58,975 week-day schools, both public and private; 33,872 Sunday schools, and 2,036 evening schools. If, as is the practice in many places, children assemble in the school-room on Sundays not for instruction, but simply to be taken to a place of worship, such assemblies have not been reckoned in the returns as schools.

12. The total number of week-day schools in England and Wales liable to the inspection of the committee of council on education in 1860, was 9,378, containing 1,101,545 scholars; of these schools, 6,897, containing 917,255 scholars, were aided by annual Government grants.

13. The amount of income from all sources, exclusive of Government aid, raised for 22,740 public elementary week-day schools, in the year 1858, in England and Wales, has been returned as 1,121,981*l*. Tables furnishing minute details concerning the income and expenditure of elementary public week-day schools have been constructed from returns collected by the assistant commissioners. They will be found in a subsequent part of this statistical report.

14. In addition to the income raised for public elementary week-day schools, a considerable amount of money is collected by central societies or committees, and also by diocesan

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and local boards. The total amount of money raised in the year 1859, by eight central societies, viz., the National, British and Foreign, Catholic Poor, Wesleyan, Home and Colonial, Church Education, Congregational, and London Ragged School, was 59,601*l.*; and the total amount expended by these societies since the dates of their formation is more than 1,400,000*l.*

15. The total of the grants for education voted by Parliament from 1839 to 1860 inclusive is about 5,400,000*l.*

NUMBER OF SCHOOLS AND SCHOLARS.

In the absence of a census of education co-extensive with the whole country, it would be impossible to state with absolute exactness, in addition to the number of public schools, the total number of *private* week-day schools and scholars. It is possible, however, to estimate it. The commissioners ascertained the absolute number of public week-day schools and scholars in England and Wales, also, by an exhaustive enumeration, the ratio which the number of scholars in private schools bore to the number of scholars in public schools in the specimen districts, comprising one-eighth of the whole population of the country, and also the average number of scholars in each private school. Assuming this ratio and average to hold good for the rest of the country, they have estimated the number of private week-day schools and of scholars in them in 1858 throughout England and Wales. The result of this enumeration of public schools and estimate for private schools is exhibited in the following table. The same table includes the number of Sunday schools and scholars, and of evening schools and scholars in England and Wales, as absolutely ascertained.

	Week-day.			Sunday.	Evening.
	Public.	Private.	Total.		
Schools, i.e. Departments	24,563	34,412	58,975	33,872	2,036
Scholars	1,675,158	360,304	2,535,462	2,411,554	80,966

In the following statistics, which include all the *public* week-day schools in England and Wales, the number of scholars stated is the number on the books. The average daily attendance is much less.

The following table shows the number of public week-day schools and scholars in England and Wales in 1858, divided into four classes, according to the sources from which their incomes are derived.

Class of Schools.	Number of Schools.	Number of Scholars.
I. Schools supported by religious denominations	22,647	1,549,312
II. Schools not specially connected with religious denominations	357	43,098
III. Schools entirely or almost entirely supported by taxation ...	999	47,748
IV. Collegiate and superior or richer endowed schools	560*	35,000*
Total	24,563	1,675,158

* Taken from the Census of 1851.

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The next table is arranged to show in greater detail the foregoing classes of public week-day schools.

Description of School.	Number of Week-day Schools and of Scholars.				Average Number of Scholars in a School.
	Week-day Schools, i.e., Departments.	Male.	Female.	Total.	
CLASS I.					
Church of England	19,549	624,104	562,982	1,187,086	60·7
British Schools	1,131	89,843	61,162	151,005	113·5
Roman Catholic	743	41,678	44,188	85,866	115·5
Wesleyan (old connexion) ...	445	35,887	23,986	59,873	134·5
Congregational	388	18,143	15,020	33,163	85·4
Baptist	144	5,102	4,286	9,388	65·2
Unitarian	54	2,105	1,983	4,088	75·7
Calvinistic Methodist (a) ...	44	1,759	1,170	2,929	66·5
Jews	20	1,908	1,296	3,204	160·2
Society of Friends (a)	33	1,674	1,352	3,026	91·7
Presbyterian Church, in England (a)	28	1,675	1,048	2,723	97·2
Primitive Methodists (a)	26	643	699	1,342	51·6
Presbyterians, undefined (a) ...	17	1,528	1,064	2,592	152·4
Methodists, new connexion (a) ...	14	1,096	755	1,851	132·2
United Methodist Free Church (a)..	11	656	520	1,176	107·0
Total	22,647	827,801	721,511	1,549,312	—
CLASS II.					
Ragged Schools	192	10,308	10,601	20,909	108·9
Orphan and Philanthropic	40	2,116	1,646	3,762	94·5
Birkbeck Schools... ..	10	1,088	339	1,427	142·7
Factory Schools (a)	115	9,000	8,000	17,000	147·8
Total	357	22,512	20,586	43,098	—
CLASS III.					
Workhouse	869	18,313	16,990	35,303	40·6
Reformatory	47	2,198	485	2,683	57·0
Naval (b)	13	1,476	15	1,491	114·6
Military (c)	70	6,852	1,419	8,271	118·1
Total	999	28,839	18,909	47,748	—
CLASS IV.					
Collegiate and superior or richer Endowed Schools (a)	560	32,000	3,000	35,000	62·5

(a) These returns are taken from the Census of 1851.

(b) Not including ships' schools.

(c) Not including regimental schools.

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The number of public evening schools in England and Wales has been stated in a preceding table. The following table shows the denominational subdivisions of such schools :—

Description of School.	Number of Evening Schools and of Scholars.			
	Schools, i. e., Departments.	Scholars.		
		Male.	Female.	Total.
Church of England	1,547*	39,928	14,229	54,157
Congregational	125	3,748	2,596	6,344
British Schools	108	2,842	1,408	4,250
Roman Catholic	96	3,292	5,121	8,413
Baptist	73	1,854	1,098	2,952
Unitarian	37	950	760	1,710
Wesleyan (old connexion)	21	687	463	1,150
Jews	6	123	182	305
Non-Sectarian	9	654	324	978
Ragged Schools	14	493	214	707
Total	2,036	54,571	26,395	80,966

* This number of Church of England Evening Schools is estimated. The number of evening scholars in England and Wales was absolutely ascertained by the National Society; but the number of departments or schools was not ascertained; in order, however, to estimate it, the proportion between evening schools and evening scholars existing in the ten specimen districts has been applied to the ascertained number, 64,157.

The following table shows the denominational subdivisions of Sunday schools :—

Description of School.	Number of Sunday Schools and of Scholars.			
	Schools, i.e., Departments.	Scholars.		
		Male.	Female.	Total.
CLASS I.				
Church of England	22,236	540,303	552,519	1,092,822
Wesleyan (old connection)	4,311	224,519	229,183	453,702
Congregational	1,935	128,081	139,145	267,226
Primitive Methodist	1,493	68,273	68,656	136,929
Baptist... ..	1,420	77,153	82,349	159,502
Calvinistic Methodist*	962	60,025	52,715	112,740
Methodist (new connection)	336	24,943	26,574	51,517
United Methodist Free Churches	402	30,540	32,069	62,609
Roman Catholic	263	15,768	19,690	35,458
Unitarian	133	6,940	6,202	13,142
Non-Denominational	23	1,537	1,125	2,662
Jews (Sabbath)	2	18	70	88
Total	33,516	1,178,100	1,210,297	2,388,397
CLASS II.				
Ragged Schools (Sunday and Sunday evening)	356	11,625	11,532	23,157
Total	33,872	1,189,725	1,221,829	2,411,554

* The numbers of the Calvinistic Methodist schools and scholars have been taken from the Census returns of 1851. Circulars and forms in the Welsh language were issued from the office of the Education Commission; but the returns were so imperfect that it has been thought advisable to adopt the numbers of the Census returns.

The proportion of scholars in *public* week-day schools only to the total population of each county is seen from the following table. The population, at the middle of 1858, has been estimated by the Registrar-General.*

Counties.	Proportion of Scholars in Public Week-day Schools to the total Population in 1858.	Counties.	Proportion of Scholars in Public Week-day Schools to the total Population in 1858.
Bedford	1 in 11·7	Oxford	1 in 8·3
Berkshire	1 in 9·2	Rutland	1 in 8·6
Buckingham	1 in 10·1	Salop	1 in 11·5
Cambridge	1 in 13·3	Somerset	1 in 10·5
Cheshire	1 in 12·7	Stafford	1 in 11·7
Cornwall	1 in 16·2	Suffolk	1 in 10·5
Cumberland	1 in 11·2	Surrey	1 in 12·0
Derby	1 in 11·0	Sussex... ..	1 in 11·0
Devon	1 in 12·5	Warwick	1 in 14·8
Dorset	1 in 9·1	Westmoreland	1 in 7·9
Durham	1 in 14·0	Wiltst†	1 in 7·8
Essex	1 in 8·7	Worcester	1 in 13·2
Gloucester	1 in 9·6	York	1 in 12·3
Hampshire and Channel Islands	1 in 10·9	Isle of Man	1 in 12·4
Hereford	1 in 11·2	Anglesey	1 in 15·0
Hertford	1 in 9·2	Brecon	1 in 17·8
Huntingdon	1 in 9·9	Carmarthen	1 in 12·8
Kent	1 in 9·8	Cardigan	1 in 16·7
Lancaster	1 in 13·3	Carnarvon	1 in 10·7
Leicester	1 in 11·9	Denbigh	1 in 13·0
Lincoln	1 in 10·5	Flint	1 in 10·3
Middlesex	1 in 13·0	Glamorgan	1 in 13·9
Monmouth	1 in 11·3	Merioneth†	1 in 13·7
Norfolk	1 in 11·3	Montgomery†	1 in 14·1
Northampton	1 in 9·7	Pembroke... ..	1 in 13·0
Northumberland	1 in 15·0	Radnor†	1 in 16·4
Nottingham	1 in 13·4		
		Total	1 in 11·82

* The population here given is that of counties proper and not of *registration* counties. The population of each county has been estimated on the assumption that it has increased since 1851 at the same rate as it did between the censuses of 1841, 1851. The numbers representing the population must therefore be considered as mere approximation, as it is impossible to calculate with exactness the number of inhabitants in the several counties after an interval of seven years from the date of the census.

† The population of 1851 being less than that of 1841 is here given.

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For convenience of reference the preceding table is re-arranged below to show in numerical order the relative state of each county in connexion with week-day education in *public* schools only.

Counties.	Proportion of Scholars in Public Week-day Schools to the total Population in 1856.	Counties.	Proportion of Scholars in Public Week-day Schools to the total Population in 1856.
Wilts	1 in 7·8	Stafford	1 in 11·7
Westmoreland	1 in 7·9	Bedford	1 in 11·7
Oxford	1 in 8·3	Leicester	1 in 11·9
Rutland	1 in 8·6	Surrey	1 in 12·0
Essex	1 in 8·7	York	1 in 12·3
Dorset	1 in 9·1	Isle of Man	1 in 12·4
Berks	1 in 9·2	Devon	1 in 12·5
Hertford	1 in 9·2	Chester	1 in 12·7
Gloucester	1 in 9·6	Cardiff	1 in 12·8
Northampton	1 in 9·7	Middlesex	1 in 13·0
Kent	1 in 9·8	Pembroke	1 in 13·0
Huntingdon	1 in 9·9	Denbigh	1 in 13·0
Bucks	1 in 10·1	Worcester	1 in 13·2
Flint	1 in 10·3	Cambridge	1 in 13·2
Lincoln	1 in 10·5	Lancaster	1 in 13·3
Somerset	1 in 10·5	Notts	1 in 13·4
Suffolk	1 in 10·5	Merioneth	1 in 13·7
Carnarvon	1 in 10·7	Glamorgan	1 in 13·9
Hampshire and Channel Islands }	1 in 10·9	Durham	1 in 14·0
Sussex	1 in 11·0	Montgomery	1 in 14·1
Derby	1 in 11·0	Warwick	1 in 14·8
Cumberland	1 in 11·2	Northumberland	1 in 15·0
Hereford	1 in 11·2	Anglesey	1 in 15·0
Monmouth	1 in 11·3	Cornwall	1 in 16·2
Norfolk	1 in 11·3	Radnor	1 in 16·4
Salop	1 in 11·5	Cardigan	1 in 16·7
		Brecon	1 in 17·8
		Total	1 in 11·82

The following table shows the number of certificated teachers, assistant teachers, and pupil-teachers, employed in each of the 10 years between 1849 and 1859 in England, Wales, and Scotland.

At the end of Year.	Number of Certificated Teachers.			Number of Assistant Teachers.			Number of Pupil-teachers.		
	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
1849	—	—	681	—	—	—	2,424	1,156	3,580
1850	—	—	980	—	—	—	3,070	1,590	4,660
1851	845	328	1,173	—	—	—	3,657	1,950	5,607
1852	1,158	513	1,671	—	—	—	4,011	2,169	6,180
1853	1,541	756	2,297	67	28	95	4,308	2,604	6,912
1854	1,859	977	2,836	139	33	172	4,500	3,096	7,596
1855	2,242	1,190	3,432	173	48	221	4,910	3,614	8,524
1856	2,726	1,647	4,373	181	44	225	5,800	4,445	10,245
1857	3,206	1,960	5,166	198	46	244	6,773	5,449	12,222
1858	3,568	2,320	5,888	184	59	243	7,673	6,351	14,024
1859	4,137	2,741	6,878	214	81	295	8,219	7,005	15,224

Reports of the Assistant Commissioners appointed to inquire into the state of Popular Education in England.

The Education Commissioners appointed ten assistant commissioners to make special reports on separate districts as follows:—the Rev. James Fraser, M.A., and the Rev. Thomas Hedley, on the state of education in specimen agricultural districts; Mr. J. S. Winder and Mr. George Coode for the manufacturing districts; Mr. A. F. Foster and Mr. John Jenkins for the mining districts; Mr. P. Cumin and Mr. J. M. Hare for the maritime districts, and Mr. Jonah Wilkinson and Dr. Hodgson for the metropolitan districts. The instructions given to these commissioners were to inquire into, 1st, the statistics, and 2nd, the condition, methods, and results of education; the statistics to embrace public schools, private schools, Sunday schools, evening schools, and factory schools; under the condition, methods and results of education, to treat of the supply and demand of education; the schools, schoolmasters and school buildings, finance, and the comparative efficiency of schools. These commissioners made separate reports, embracing a complete survey of the state of education in their respective districts, giving their own opinion on the state of matters presented to them.

The Rev. Mr. FRASER reported on the state of popular education in specimen agricultural districts in the poor law unions of Sherborne, Dorchester, Cerne, Beaminster, Axminster, Chard, Yeovil, Hereford, Ross, Leominster, Bromyard, Ledbury, and Upton-on-Severn in the counties of Dorset, Devon, Somerset, Hereford, and Worcester. Upon the state of education he shewed that, whereas in 1851, 1 in 9·26 were under education, in 1859, 1 in 7·4 persons were in the day schools. The percentage of children at school to the whole population of the district in 1851 was 10·7, and in 1859 it had risen to 13·3, an improvement of 2·6 per cent. The attendance of scholars in the schools was estimated at 176 days. As to the distribution of schools, it was estimated that the proportion of children in public schools to those educated in private was as 3·3 to 1. The public schools owe their existence more in the direct action of religious bodies or religious persons, than to the motives of general philanthropy. Hence their denominationalism. Out of 402 elementary public day schools, educating 23,589 children, 376 schools, educating 21,624 children, or 91·6 per cent. of the whole, were connected with the church of England. Take away the religious element and the religious motive, and there would be an instantaneous collapse of nine-tenths of these 402 schools.

In Mr. Fraser's district, as many as 17,000 children, more than one-third of the whole number between the ages of 4 and 12, were not enjoying the advantages of instruction in any kind of day school. The causes of non-attendance were poverty, apathy of parents, the temptation of good wages for children, and parents' inability to provide decent clothing. The commissioner was of opinion that the night school is the great resource for improving the intellectual results of education, and he concluded his observations with the following propositions:—

1. That the work of elementary education is making steady, hopeful, and in some places even rapid progress, but that it rarely travels much beyond the first stage.

2. That, in spite of places still lying in utter darkness, and of others where the means of enlightenment employed are neither very judicious nor very successful, there are rural schools which are not only efficient, but as

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efficient as schools similarly circumstanced can be reasonably expected to be; that in them the standard of *possible* education in its primary stage has reached its maximum.

3. That the great source of non-efficiency in schools is the want of adequate funds preventing the employment of competent teachers; and that this want is not to be attributed at all to the poverty of parishes, but to the lack of interest evinced by (in most cases non-resident) proprietors.*

4. That the non-attendance and irregular attendance of children in agricultural districts originate almost entirely in the low rate of wages compelling parents to use their children's labour the moment it becomes marketable; and that, not so often in regular as in precarious employment; and only in the rarer cases can they be set down to apathy and improvidence.

5. That all the difficulties which surround the attendance of children do not prevent the efficient schools from being full; that these, therefore, may fairly be considered to have solved and overcome them; and that the great object, consequently, to aim at is to place all schools in a state of efficiency.

6. That an increasing value is being set by parents on a good education; and that the standard by which they measure the worth of what is offered to them under that name is on the whole a sound and practical one.

7. That there is a very earnest and spreading desire on the part of young people whose primary education has been neglected or interrupted to use any opportunities of self-improvement that are subsequently placed within their reach; that night schools, therefore, are almost universally popular.

8. That the present system of education is incomplete rather than efficient, and requires to be supplemented in its second stage, rather than reorganized in its first.

9. That, to this end, the development of night schools, and the addition of reading rooms, are required to complete the idea of an education that shall furnish a supply adequate to the demand.

10. That it may be hoped that parishes which are now indifferent to a great claim will not contentedly sit down and see themselves left, with an unenviable notoriety, in the rear of an advancing civilization; and that there is certainly nothing *in the necessities of the case* to oblige the administrators of central aid to lessen the chances of stirring up local liberality by making concessions to exorbitant demands.

11. That the existing type of education is essentially religious and denominational; and that there appears to be no prospect of any wider or more comprehensive scheme being worked successfully.

12. That the machinery set in motion by the committee of the Privy Council has given an enormous impulse to elementary education; and that, though somewhat wanting in the elasticity, and safely capable of expansion without endangering its fundamental principle, it has securely established itself in the favourable opinion of all the most earnest and sagacious promoters of education.

13. That private elementary schools, and endowed elementary schools, speaking generally, are not in a satisfactory condition; but that under both heads there exist so many useful and even efficient schools, that it would be

* The only case in which I should admit the plea of poverty in a parish is, when a parish of small acreage is surrounded by several "close" parishes, which drive their poor into their more open neighbour. In such parishes, I am aware that the poor-rate sometimes eats up nearly all the rent. In all other cases of merely small parishes, there is a clear 1,000*l.* or 2,000*l.* a year going into somebody's pocket, so that there can be no real poverty.

both unfair and untrue to throw them as a class under any one general term of description.

14. That trained and certificated teachers, as a rule, are far superior to those who have not had the advantage of the former, and do not possess the qualification of the latter; but it is a rule which has many exceptions; and the training college, though it can develop and direct, cannot give that natural aptitude and ability which is, after all, the highest qualification.

15. That the great deficiency in public schools, particularly in small unassisted public schools, is in teaching power; and that even the smallest number of children necessitates such a division of classes that it is rare to find a teacher with sufficient method to instruct each thoroughly; and that, as a consequence, the condition of the lower classes in most public schools is not satisfactory.

16. That the time lost in the lower classes is the great cause of children's education not being more advanced when the time comes for their withdrawal from school; and that this time, in the case of boys, must be fixed, at the furthest, at the age of ten.

17. That it is possible, nevertheless, under a sound system adequately applied, to have educated a child fairly well for his position in life by that age.

18. That school fees of a moderate amount are not unpopular with parents; and though they do not appear much to affect regularity of attendance, which is much more largely influenced by the efficiency of the school, yet the difficulty of paying them, if ever alleged as a reason for non-attendance, is universally found to be a pretext, and not a real reason; that poverty however, exhibiting itself in want of shoes and decent clothing, is a frequent and very real reason.

19. That sufficient importance is not attached, either by teachers or managers, to the state in which the school registers are kept; that the real condition of the school as regards a great many vital points is, therefore, much more frequently a matter of conjecture than of exact knowledge in the minds of those who ought to be best acquainted with it; and that none of the registers that I have seen in use give the statistical information one expects to find in them, with sufficient distinctness or in an immediately available form.*

20. That Sunday schools are not prospering, and that there are symptoms prognosticating their gradual decay and final extinction, as a consequence mostly of the progressive improvement of the day school; that this fact, however, does not indicate any decay in the general religious sentiments of the people, but simply that they have transferred themselves to another sphere. I have already asserted that the education given in the day schools is essentially religious. The decay of the Sunday school is chiefly regrettable, as removing a valuable aid in the retention of the knowledge acquired in the day school, particularly the power of reading. Its loss as a religious influence will be less sensibly felt.

21. Lastly, that there are certain collateral social questions, such as the

* One of the most important facts that one wishes to ascertain at a glance from a register, is the amount of attendance of each child in the school at any period of the year. It throws more light on the actual history of the school than any other fact. No register that I know contains a column opposite each child's name for carrying on his attendances for each month or quarter to the next month or quarter, and so on throughout the year. Almost all the existing registers are too complex, encumbered with tessellated spaces for a number of unsensational entries, which the teachers will not and do not use. A simple comprehensive register, such as might easily be constructed, would be a great boon to schools, and, indeed, to education.

state of cottages, the rate and mode of payment of wages, the hiring of servants, &c., vitally connected with the subject of education; and that it is irrational to expect that a single instrument, however powerful, can successfully accomplish the moral or intellectual elevation of a class whose whole condition, civil, social, and domestic, is surrounded by so many unfavourable and depressing influences. Education must still and ever be only one of many weapons in the hand of the philanthropist, by the combined use of which he hopes at length to vindicate for every fellow man his rightful position as an intelligent and responsible being, in a land of light and freedom and civilization.

The Rev. THOMAS HEDLEY, Vicar of Masham, Yorkshire, reported on the state of popular education in specimen agricultural districts in the poor law unions of Lincoln, Gainsborough, Thorne, Doncaster, Newark, Downham, Thingoe, Bury, Mildenhall and Ely, in the counties of Lincoln, York, Nottingham, Suffolk, Norfolk and Cambridge. In this district children usually commence school about five years of age, they begin to leave school about nine, and few are found there above thirteen. The conclusion is that the school period averages about six years. The causes of irregular attendance are the indifference of the parents, the incompetence or unpopularity of the teacher, and especially the ability of children to earn wages of considerable amount.

Mr. J. S. WINDER reported on the state of education in the specimen manufacturing districts of Rochdale and Bradford, in the counties of Lancaster and York. The state of education in these districts in 1859 as compared with 1851, showed these facts: That the proportion to the total population of the children under instruction in either district had advanced in Rochdale from 1 in 9·30 to 1 in 8·07, in Bradford from 1 in 10·83 to 1 in 10·65. That the number of private schools has largely increased in both places, while that of public schools has diminished in Rochdale, but very slightly increased in Bradford. That the proportion of public to private scholars has slightly increased in Rochdale, from the ratio of 1·6 to 1, to the ratio of 1·7 to 1, and declined in Bradford from the ratio of 1·6 to 1, to the ratio of 1·2 to 1. In Rochdale 1 out of 7·78 inhabitants, and in Bradford 1 out of 10·56 is a day scholar. The age of 13 is practically the limit of school life in both districts. Not less than 35·37 per cent. of the boys, and 34·89 of the girls were more than 10 years of age, and more children were at schools between 12 and 13, than between 7 and 8. The cause of this is the very large number of half-timers who constitute 60 per cent. of the scholars between 8 and 13 years of age. The Sunday schools are developed to an extraordinary degree, and they are dependent almost entirely on religious communities. The most remarkable feature of the Sunday schools in these districts is the largeness of the number of adult scholars who attend them. Of the female scholars not less than 29·88 per cent. at Rochdale, and 24·22 per cent. at Bradford are above 15 years of age. The cause of neglect of day-school education is not owing to contempt for knowledge, or dissatisfaction with the nature of the instruction, or dislike or dread of religious instruction. The public schools are not, as a matter of fact, direct agencies of proselytism; and the religious teaching which is given could not of itself have a direct proselytizing effect. The main causes of neglect are poverty, indifference, and inaccessibility and inefficiency of schools. A cause of this indifference probably is that education does not manifestly pay. In common occupations the uneducated

earn equal wages with the educated, and there is hardly any secondary encouragements for education.

Mr. GEORGE COODE reported on the state of popular education in specimen manufacturing districts in the poor law unions of Dudley, Wolstanton, Newcastle-upon-Tyne, and Stoke-upon-Trent, in the counties of Warwick and Stafford. In this district the great demand and the great rewards are for the bodily and not the mental labour of those who have only their labour to dispose of. Education is a thing rather to be submitted to than required by the population, and whatever progress has been made in it has been made through foreign agency. There is, moreover, a total absence of subsidiary efforts to education, while the economical rewards of education are very slender. One important master nailor stated to Mr. Coode, as the result of his experience, that education was only a means of depriving the neighbourhood of all its best and brightest youths, and whilst he was obliged to admit that the operation was still beneficial to the youths themselves, and to those parts of the country where they were profitably employed, he said,—“But why, then, should they have the benefit at our expense?” The assistant commissioners gave much information on the efficiency of the schools, and afterwards entered into a description of the districts and statistics of education, from which it appears that there were 12,431 schools, and 88,856 scholars, giving a proportion to population of 1 in 7·8 in 1858, against 1 in 10·17 in 1851. Of Sunday schools there were 410, attended by 52,086 scholars, in which the sexes were nearly equal.

Mr. A. F. FOSTER reported on the state of education in the mining districts of Durham and Auckland, Weardale, Penrith and Wigton, in the counties of Durham and Cumberland. These districts comprise three distinct groups of population. Coal miners, iron miners, and agriculturists. The social and moral condition of the colliers was described as the lowest possible. The lead miners, on the contrary, are steady, provident, orderly and industrious people. The agricultural portion are a rough, sturdy and intelligent class. There is little poverty in the district, and great aversion to parish relief. There were nearly 23,500 children between 5 and 13 years old, and of these above 13,000 or 55 per cent. were found actually in attendance in the public and private elementary schools. Mr. Foster commented much on the matter and method of instruction, and he accounted for the fact that the teachers were not successful from the kind of language used in imparting knowledge, especially in books which are practically in an unknown tongue to the children of the illiterate, and in remote situations. It is utterly unlike their vernacular dialect, both in its vocabulary and construction, and perhaps not less unintelligible than Latin generally is to the vulgar in the middle ages. A reason of the success which generally attends a Scotch teacher is that when he attempts familiar explanation or extempore teaching of any kind, he speaks as broad Scotch as is necessary for being understood. This difficulty in the language affects very much the time acquired for schooling. If there were not this difficulty of language to overcome, any child of ordinary intelligence might between seven and ten years of age acquire a fair amount of education for one of the labouring classes. But with such difficulty it is much longer. Language is readily acquired in childhood by mere usage. But it is otherwise in maturer years; and if literary language is not learned in early youth, it will probably never be learned at all, at least never become familiar; in which case the mere mechanical art of reading will profit little, and will easily fall into disuse.

The cause of non-attendance is not want of school, not poverty, nor religious scruples, but the claims of labour are sufficient to account for the discrepancy between the number of children who ought to be at school and of those actually in attendance. The main cause is the aversion of the children, and the indifference of the parents, both these being in a great measure due to the character of the schools, for education in this district is generally held in contempt. And this is especially the case where it is very cheap. It is extremely difficult to get people to believe that that which costs little can possibly be as good as the more expensive article. In the agricultural districts chiefly, but not exclusively, there is a strong feeling among parents that grammar, geography, history, &c., are not of any value to children who will have to work with their hands for their bread. And where any amount of knowledge is required, schooling is regarded not as a course of discipline but only as a means of earning livelihood. Religion is universally deemed an essential part of education. In connection with almost every colliery there are men whose intelligence and good conduct, the results of religious feeling, have raised them from the lowest grades to situations of trust. The instances are extremely rare in which neglectors or despisers of religion attained such promotion. It was the opinion of the commissioner, an opinion which was generally entertained, that education in order to be general and efficient must be obligatory in some shape or other, and that a certain amount being required before labour is begun, at 10 or 12 years of age, there should be legal provision for continuing it afterwards, by sparing for this purpose a reasonable portion of the child's time. No colliery work should be allowed under 10 years; and with the system of pass examination, there should be engrafted one of tickets and certificates, by which to mark those boys and girls who have steadily attended school and public worship, behaved well, and made satisfactory progress for a certain number of years.

Mr. JOHN JENKINS reported on the state of education in Welsh specimen districts in the poor law unions of Corwen, Dorgelly, Bala, Ffestincog, Neath, and Merthyr Tydfil in North and South Wales. Mr. Jenkins commenced by describing the past social condition of Wales, when it was essentially agriculturist, and the effects of two great elements of social improvement and life, the religious movement and the development of the mineral resources, on the condition of the country. As to its natural capacity, the Welsh mind has been rightly described as exhibiting great intellectual activity in combination with reasoning and imaginative powers of a high order. But for a long time the people have been placed in circumstances and subject to influences unfavourable to the direction of these powers to practical results and useful ends. As to its moral condition the people in the northern portion may be described as a sober, frugal and well regulated people, equally observant of personal morality and of those more general duties on which the peace and well-being of a community so much depend. They are deeply imbued with the religious spirit. In the manufacturing districts in South Wales this description does not apply without considerable modification. With these features in the character of the people, it does seem anomalous to find an extensive prevalence of illegitimacy. This, however, cannot be legitimately regarded as a consequence of general dissoluteness in the community, but as one of those exceptional features which are sometimes found to exist in a people's character arising from causes proper to a past condition, but which have been maintained up to the present time, despite the better influences which have subsequently been

conducive to social improvement. Our great difficulty in the way of education extension among the Welsh people is the fact that the great bulk of the population are ignorant of the English language, and speak another language, the Welsh. No data have hitherto been afforded for determining the proportion of the population of Wales using and acquainted with Welsh only to that by which the English language has been adopted as the vernacular. In the North Wales or agricultural portion of the estimated population in 1858 of 52,067, there were probably 46,000 to 47,000 who spoke Welsh only, while of the remaining 5,000 probably two-thirds thoroughly conversant with English use Welsh as their vernacular language. In the South Wales Merthyr Union in a population in 1858, of 99,758, the proportion speaking Welsh was 74,000 to 77,000. Mr. Jenkins' opinion was that in time the Welsh language is destined to die out.

The average proportion per cent. of scholars for the North Wales Union was 9·2, and for the South Wales Union 9·5. In the latter the education provision was deficient not so much in amount as in the quality of its distribution. The number of scholars in average daily attendance was on an average 74·5 per cent. of the number of scholars in the school books. The statistics show also that children are very early withdrawn from school, so much so that it almost renders abortive every effort for imparting the benefit of education to the labouring classes. This is particularly the case when employment for children is abundant. In consequence of the early withdrawal there is a great deficiency of pupil-teachers and monitors. Strenuous efforts have been made for counteracting early withdrawal, such as prize schemes and other methods, but the best means is to make more and more visible the benefit of education to the moral and social advancement. Evening schools are very few in Wales, but Sunday schools form an important element in education in Wales. The highest proportion per cent. of Sunday scholars to population in England, exclusive of Wales, is 19·8. The common centesimal proportion for the North Wales Unions is about 43·2, and for the South Wales Unions 20·6, being in the former an excess of 23·4 and in the latter of ·8 over the highest percentage of an English county. The Sunday school, with its religious instruction, may be found in recesses where no day school, nor even the house worship, has a place; in fact, it has scarcely left a few houses in the most alpine regions of North Wales without its branches, and may be said to have brought within its influence the whole population.

No fact can more forcibly depict the character or attest the extent of the influence which the Sunday school in Wales has obtained over the mind of its population than these figures. They show that out of a body of 55,099 persons who are found on the books of the Sunday schools of the "Specimen District," the proportion of 76·8 per cent. (nearly), or above three-fourths of the whole number, are brought together Sunday after Sunday for the purpose of religious instruction. And this, too, is effected without punishments to deter or compel, solely by the class of influences which are called "moral," by a power the fundamental notion of which is duty, and the machinery employed in the development of which is opinion alone. Our estimate of the character of this influence is raised still higher when it is considered that the great mass of those who thus congregate at the place of learning, often from a considerable distance, have spent the six days of the week in unremitting toil. It is the small farmer, the farm labourer, the collier, or miner, who has spent his six working days in the depths of the earth, and the smelter whose labours are so exhaustive, and such as these,

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most of them down to the age of ten years engaged in labour, that are induced to devote a large and the best portion of their only day of rest to the acquisition of religious knowledge. An institution which by such means can accomplish such great ends, which can, in a whole population, in opposition to all counteracting tendencies, develop such active energies for good, shows that it has attained a moral power which is the best evidence of the adaptation of its machinery to accomplish its ends. But the distinguishing feature of the Welsh Sunday school is the fact that nearly 39 per cent. of the scholars are above 15 years of age. It indicates the wider scope which the Sunday school in Wales proposes to itself as an institution, not simply to impart to the young elementary and religious instruction, but to follow up the work thus begun, by carrying forward the work of inculcating religious knowledge up to the period of manhood, and on men of mature age. It thus takes under its care not only the inculcation of knowledge, but through this the formation of habits of thought, of moral feeling, and thus seeks to guide moral action. It in fact regards as its sphere not merely the instruction of the child, but the religious training of the whole man; nor is this view of its object an extension of its first conception, an improvement on its original purpose, but, as will be seen from observations made elsewhere in adverting to this subject, it was interwoven with the original conception of the institution and its object. It is important to bear this in mind in considering, as in the course of these remarks we shall have occasion, the subject-matter of instruction in the Sunday school in Wales. The early labourers who at different periods of the last century entered on the field of religious instruction in the Principality with that deep insight into the principles of human nature which enabled them to derive wisdom from the social conditions by which they were surrounded, took broader views of, and gave a wider scope to, the action of the Sunday school institution than those which contemplated the instruction of children. They knew that instruction in the elements of religion carried up to 14 or 15 years of age, and then dropped, would be evanescent—that it would be laying the foundation and neglecting to raise the superstructure; they, from the first, practically embodied in their Sunday school system a truth since well expressed in reference to the Sunday schools of England, that “without some means of continuing instruction and maintaining influence when the scholar enters the most critical period of life, the chances are that what has been already done will prove to have been done in vain” (Education Census, Report, p. 75). We have, in fact, in the passage I have cited, a recognition of the distinctive principle of the Welsh Sunday school—that to obtain fruits from early instruction—to establish the influence of its teaching over the mind—that teaching must be carried onward from youth to manhood, in fact through life. The Welsh Sunday school thus realises the grand conception of an institution which seeks not simply to impart religious knowledge, but through this as a means to generate habits of thought and feeling, which will be well-springs of action throughout life—and to its originators must be awarded the merit of having anticipated, in reference to religious teaching, a principle which is now recognised as common to every department of education, that juvenile instruction, to secure its fruits, must be carried forward to adult age. The Sunday school in Wales is, in fact, a great lay agency, which seeks its aid by a special machinery—that end being not religious instruction, but through instruction religious education.

In one respect, indeed, the returns, in giving simply the number of scholars above 15 years of age, do not adequately reflect the composition of a Welsh Sunday school. To bring into full relief its character as an institution for ulterior instruction one or more further subdivisions would be necessary, as the "number above 15 years" comprises a very large proportion of scholars of varying ages, from 15 to 50, and even to 60 and 70 years of age. On entering a Sunday school (Welsh) in Wales, any associations we may have formed in connection with such an institution as the place where the young only are taught are entirely dissipated, for we see around us classes of men and women, not merely of adult, but of middle and advanced age; fathers and sons, mothers and daughters, meet on this spot, equally to learn, to receive common instruction, varied in degree and character according to age and previous opportunities of acquiring religious knowledge. The original conception of which this feature in the Welsh Sunday school is a consequence—that the Sunday school, like public worship, is a part and parcel of the institutions of religion, has its fullest development in North Wales, where not only all ages, but a variety of social grades, may be found in the classes of a Sunday school. With some modification, such is also the case in the rural districts in South Wales; but in the towns there is an evident falling off in the number of persons of more advanced ages, as well as of variety of grades. In fact, it would seem that, in proportion as the English element has infused itself into the schools or population, there is a relaxation of the practice of adult attendance in the Sunday schools. In the Sunday schools in Wales in which English is the language of instruction there are few, if any, adults; in fact, the whole of the scholars are, unless under special circumstances, under 15 years of age. In many of the Sunday schools connected with the Church, the teaching in the schools is in the English language; where such is the case, the school consists almost solely of young persons under 16 years of age. In fact, adult instruction as an essential element in the organisation of the Sunday school appears to be a distinctive feature of the Welsh speaking portion of the population; with the adoption of English customs and habits of thought, the practice becomes more relaxed, and in the English Sunday school (in Wales) it altogether "dies out." The English conception of the Sunday school, that its province is to give instruction in the elementary principles of religion to the children of the poorer classes, is fallen into and becomes the model on which the practice is based.

Mr. PATRICK CUMIN reported on the state of popular education in the maritime districts of Bristol and Plymouth. The population within the scope of this inquiry may be divided as follows:—1. The labouring people who earn weekly wages, and their children. 2. The children of paupers living in the workhouse. 3. The children of vicious parents, their chief vice being that of drunkenness. 4. The children of out-door paupers receiving parish relief, but living out of the workhouse. 5. Criminal children, or those who have been convicted before some competent tribunal. Mr. Cumin first showed the age at which children are commonly sent to school, being from $2\frac{1}{2}$ to $9\frac{1}{2}$ or 10 at the very least, and then considered the various appliances adapted for the same. As to the first class of population, the ordinary mode of education is by week day schools, public and private. The education of the second class is carried on in a school and by a school-master within the workhouse. As to workhouse schools, after premising that in the Plymouth workhouse, out of 140 children 27 were orphans, and

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64 deserted; in Bedminster out of 89, 18 were orphans and 45 deserted; in Stoke there were 16 deserted and 103 orphans, Mr. Cumin said—

“I know nothing more pathetic than a workhouse school. No human creatures ought to excite a more lively sympathy. Without home, without parents, often without a single friend, they are alone in the world from the moment of their birth. Whilst one of the pauper nurses at Bedminster was sorting the infants in order to distinguish the orphans and the deserted from the rest, I asked the name of one that was rolling about the floor. ‘Fanny Step,’ was the reply. Why ‘Fanny Step?’ I rejoined. ‘Because, sir, she was found on a door-step.’ Such is the history of many a workhouse girl. Doomed by necessity never to know the meaning of that familiar word home—cut off from the exercise of the ordinary affections—many of them diseased in body and feeble in mind—these poor children exhibit little of the vigour and joyousness of youth. Listless and subservient in manner, they seem to be broken down by misfortune before they have entered upon life. It is difficult to convey a definite idea of a child brought up from its infancy in the workhouse. The following anecdote may help to realize it:—I was examining the Bedminster workhouse boys in reading, and we came to the expression,—‘They broke up their household.’ I inquired its meaning. The boy stared, and the chaplain whispered to me, ‘You need not ask him that, for he never had a home.’ Another boy who had not been born in the house at once explained the phrase. Struck with this, I determined to put the question in another workhouse. I was in the girls’ school-room at Stoke, and I desired the mistress to select a girl who had been born in the workhouse, and another who had just come in. I put the same question to the girl who had never been out of the workhouse, ‘What do you mean when you say that “A man broke up his household?”’ upon which she answered that the house had been broken into by robbers. She was familiar with the idea of crime. The other girl, who had lately come in, at once answered, ‘He sold his furniture and left the house.’

“These workhouse children—living under the same roof with the adult paupers—seeing none but them, with all their demoralized habits—familiarised day by day with a race of men and women who live upon charity without exertion—ignorant from their very birth of the notion of independence—these workhouse children, I say, are at a terrible disadvantage. According to the evidence of all the masters of workhouses and the chaplains, where there are any—for at Plymouth, and I believe in Stoke, there is a sort of roster of chaplains, comprising every denomination,—communication between the pauper adults and the pauper children, and the familiarity with pauper habits, are most serious evils. It seems impossible to exaggerate the spirit of lying, low cunning, laziness, insubordination, and profligacy which characterize the pauper class in workhouses; and this spirit naturally infects the mass of poor children who are born and bred up in so pestilential an atmosphere. The master of one of the unions, where old and young work together in the garden, told me that he could observe a marked deterioration in them after they come away from such out-door work. Moreover, I had a list furnished to me by the master and the mistress of a workhouse of boys and girls who had left the union. This return, as far as possible, showed what had become of each individual child. Of 74 girls, I found that no fewer than 37 had returned to the workhouse; and of 56 boys, 10 or 12 had returned, many of them several times. The returning to the workhouse is a most serious evil, for it shows either that

the boy or girl is ill-behaved, or that the place to which they have been sent has been badly selected. I visited several of the boys at the shops and houses of those to whom they were apprenticed, and although a good account was given of some, I found no difficulty in understanding how the guardians find it necessary to give a premium to get rid of their children. I may add that those to whom the children were bound were 'just the sort of people to whom a few pounds would be an object. Lastly, I find, upon looking over the list furnished, that out of the 74 girls, only 13 are known to be doing well, and of the 56 boys, only 18. It may be observed in passing, that this confirms the general evidence, which goes to prove that the condition of the girls is worse than that of the boys.

"One of the most fatal effects produced by the pauper children being brought up in a close contact with adult paupers is this, that the child loses all desire to earn its own living, and is content to spend its days in a workhouse. This is especially the case where industrial training forms no part of the education. Boys who have never been accustomed to handle a spade, and girls who have never been accustomed to scrub the floors, naturally rebel when they are put to such work. They sigh for the workhouse, in which they can spend their lives in eating, sleeping, reading, and play. In one year in — workhouse, I was told, that an average of one child every fortnight left service to return to the workhouse. Some of those tradesmen who had taken union boys as apprentices told me that it took several years before they acquired the desire for independence—the wish to earn their own bread; and that in some cases the union apprentice would threaten to return to the workhouse the moment his master found fault with him or proposed to punish him. At the same time, it is proper to state that this fatal apathy does not exist everywhere, for in two workhouses the boys and girls seemed to feel keenly their position, and were most anxious when they entered service that it should not be known whence they came. Some of the guardians did not seem to be aware of this feeling, but the chaplain and the master of the workhouse knew the paupers better. The chaplain told me this story: The bishop lately gave every child on leaving the workhouse a Bible and prayer-book. So long as the inscription showed that this was a gift on leaving the union, the children did not care to have the books, but since this inscription has been omitted the children ask for them. In conclusion, I beg to state that in one union, and one only, I traced a direct connection between the workhouse and the criminal child. In that town, however, the police furnished me with the history of several juvenile criminals who had been brought up from their birth in the workhouse, and had been apprenticed to persons in the town by the guardians."

The third and fourth classes of children are the offspring of vicious parents and the children of out-door paupers. With respect to the former, it should be observed that they are generally without education, not however because their parents are unable to pay the school-pence, but because they prefer to spend their money in the gin-shop. These unhappy children, abandoned from their earliest infancy by those who ought to protect and instruct them, either die of starvation or pick up a precarious subsistence by thieving and petty depredations. Besides this class, there are, no doubt, a certain number of children naturally vicious, and of children whose parents from weakness of character cannot exercise a proper control over their families. These last, however, compared with the mass of the juvenile population, form an insignificant portion.

With respect to the fourth class of the population of out-door pauper children, comparatively little is known about them. Those who had considered the question of popular education most profoundly seem to think that the condition of these children, whilst it is the most neglected, is at the same time most capable of improvement.

Mr. Patrick Cumin also gave tables showing the progress of education in the district between 1851 and 1858. In Bristol there were, in 1851, 1 scholar in 6·8 of the population, in 1858, 1 in 5·6; in Bedminster in 1851, 1 in 9·2, in 1858, 1 in 6·6; in Plymouth in 1851, 1 in 10·8, in 1858, 1 in 7·5; in East Stonehouse in 1851, 1 in 9·3, in 1858, 1 in 8·6; in Stoke Damerel in 1851, 1 in 7·4, in 1858, 1 in 5·8. The reasons why more children are not at school are, 1st. The early age at which the labour of children becomes profitable; 2nd. The actual want of schools; 3rd. The existence of bad ones; and 4th. the apathy of some parents. To counteract these causes of neglect, to induce those parents to send their children to school, and to send them for a longer time and more regularly, is the chief problem amongst those interested in education, and to accomplish this, various plans have been propounded, such as prize schemes, industrial training, open competition for minor Government appointments, and a kind of indirect compulsion for education. The payment of school fees has the effect of promoting education. The working classes prefer to pay something for the education of their children. The better sort object to send their children to what they call charity schools. The attendance at schools in which fees are paid is better than those in which fees are not paid. The kind of education demanded by the people is that provided in the ordinary British and National Schools. The religious element is considered essential, which consists in reading the Bible. The mass of the poor have no notion as to any distinction beyond that between Roman Catholics and Protestants.

The operation of the Privy Council grants was reported to be good. Amongst the great majority of the people there is no kind of objection to receive Government aid, and to allow Government inspection. But objections are raised as to the administration of Government grant. The aid of the Government is granted in proportion to the local exertion made, and the means of obtaining it depends entirely upon the assistance of laymen or clergymen zealous in the cause of education. If no such person exist in the district, the education of the people is neglected. In illustration of the benefit of education, the commissioner said,—“An Irishman, whom I met driving a cart, summed up the case in favour of education thus:—‘Do you think reading and writing is of any use to people like yourself?’ I inquired. ‘To be sure I do, sir,’ the man answered with a strong brogue; ‘and do you think that if I could read and write I would be shoved into every dirty job as I am now? No, sir! instead of driving this horse I’d be riding him.’ The value of education to boys is clear; but for girls it might seem to be different. However, in the opinion of the working classes, it is not so. Various reasons were given to me for educating girls. One man, when I asked him about it, said, ‘I don’t know, sir, whether you would like to have your love-letters read or written by strangers.’ Another common labourer at Mr. Finzell’s, at 20s. a week, said, ‘I have always heard and read that a virtuous and intelligent woman makes the best mother, and as my daughters may marry, I have them educated.’ The same man said that it was a great thing to have an intelligent woman to converse with at home,

and declared that where the wife was the reverse the husband might be driven to the pothouse. Another man said that he thought the better educated a girl was, the more likely she was to be married; and certainly, there is no doubt that schoolmistresses and pupil-teachers are much sought after as wives. At all events, experience shows that with girls as with boys it is impossible to rise to any important position without being able to read and write. Without that knowledge a scullery-maid cannot become a cook or a housekeeper, a man-servant cannot become a butler or a house steward, a shop-boy cannot become a manager, a navvie cannot become a contractor, a common soldier cannot become a corporal, a common seaman cannot become a mate, a common labourer cannot become a railway official or a policeman, a child cannot become an errand boy, a farm labourer cannot become a bailiff. I could furnish actual illustrations of cases of promotion, which would have been impossible unless the man or woman had been educated; and it is remarkable that those who have risen from the ranks take the utmost pains to educate their children, and the deepest interest in popular education. In short, in these days of penny postage and penny newspapers, those who cannot read or write must remain during their lives shut out from the world. The working people see this clearly, and those who care for their children educate them in order that they may escape from so monotonous a fate. To this I must add, that for the old there is no greater privilege than the ability to read, and many a poor man has his children taught to read in order to enjoy the luxury of hearing them read to him. Of course the value attached to education by the working classes is considerably modified according to circumstances. Thus if the head of an establishment is known to be an advocate for education and ready to promote those who show superior intelligence—if a gentleman's bailiff is a person who likes instructed labourers—if the officer in command of a ship shows an interest in the school on board—if the colonel of a regiment denies a man promotion until he has learnt to read and write properly—if any public establishments exist where the situations are coveted, but cannot be obtained unless the candidate is well educated—if the tone of feeling amongst the upper classes of the neighbourhood is favourable to education, its progress will be proportionately rapid. In saying this, however, it must be clearly understood that these things will be useless unless there are really good schools so that the parents may be satisfied of the improvement of their children in book learning, as it is called."

Mr. JOHN MIDDLETON HARE reported on the state of popular education in the maritime districts of Hull, Yarmouth, and Ipswich. The statistics of education for the period between 1851 and 1858-9 are as follows:—In Hull the number of scholars increased in the period, 17·901 per cent., and the number of children of school age, 15·682 per cent. In Sealcoates the increase of scholars was 19·905 per cent., the increase of children, 15·919 per cent. In Yarmouth the increase of scholars, 7·538 per cent., the increase of children, 7·797 per cent. In Ipswich the increase of scholars, 61·898 per cent., and the increase of children, 19·810 per cent. But in every case the children of the school age not in school exceed those for whom there exists no school accommodation. Of the children belonging to the schools, the average attendance per cent. was in Hull, 83·930, in Sealcoates, 81·297, in Yarmouth, 86·099, and in Ipswich, 82·642. The proportion of public to private schools was in Hull as 4 to 1; in Sealcoates, as 3 to 1; in Yarmouth, better than 7 to 1; in Ipswich, as 3 to 1;

in the whole district, 4 to 1. Evening schools and Sunday schools exist also to a great extent. The average attendance at school for both sexes, was in Hull, 2 years, 5·161 months; in Sealcoates, 3 years, 1·560 months; in Yarmouth, 3 years, 4·523 months; and in Ipswich, 3 years, 0·890 months. The average age of both sexes when leaving school: Hull, 10 years, 6·610 months; Sealcoates, 11 years, 4·603 months; Yarmouth, 12 years, 6·110 months; and Ipswich, 11 years, 5·676 months. On the causes of non-attendance at school the commissioner made extensive inquiries, and the reasons assigned were unwillingness or inability of parents, waywardness of the children, parental intemperance, wasteful self-indulgence, and poverty. "In Yarmouth, generally, there is no want of ability, and the lack of inclination is less prevalent than in Hull; but, where it exists, a total neglect is the ordinary result. It is imputed to want of religion and of self-respect, to the indifference of parents to the social and spiritual improvement of themselves or their children, to the love of dress and a propensity for sight seeing, especially to intemperance, 'or rather,' as one witness discriminates, 'to the reckless waste of means in drinking habits which fall short of what would be understood by the term intemperance.' 'The publican,' it is affirmed, 'is the most formidable rival to the schoolmaster.' The greatest evil, according to another, is the absence of parental authority, and the repudiation of parental responsibility. The public schoolmasters ascribe absence from school to parental indifference and neglect, which, however, as one of them suggests, a little attention on the part of the authorities would easily overcome. A few other friends to education hint at compulsion; but, in my district, this expedient meets with little encouragement. In Ipswich, though there is much abject poverty, it commonly springs from bad habits; and 'sinful indifference' is asserted to be the chief cause of parental neglect. 'It is not poverty,' says the Unitarian minister, 'whatever else it may be;' and he suggests as one reason for the neglect of parents, that they do not perceive the bearings of education on their physical comforts. Many form a false estimate of comfort. The desire of gratifying depraved tastes at the children's expense; in other words, 'intemperance is the root of the evil.' The presence of mountebanks in the town for a day or two occasioned, I was assured, the pawning of three hundred shirts and chemises at one broker's, and of a peck and a half of watches at another's. In despair of distinguishing with nice precision between culpable neglect and unavoidable incapacity, one witness exclaims, 'I cannot draw the line between inability and unwillingness; who can? Some parents are determined to do what others think they cannot possibly accomplish.' With respect to the fugitive character of school attendance, Mr. Glyde draws attention to the fact, that, in 1856, in three of the national schools, including the best, the boys who left within the year were, in one case, nearly half the average attendance; in the second, two-thirds; and in the third, an absolutely greater number. The public schoolmasters agree in regarding parental indifference, sometimes total neglect, and sometimes omitting to provide the weekly fee, as the main cause of entire absence or of irregular attendance."

Mr. JOSIAH WILKINSON reported on the state of popular education in the metropolitan district in the unions of St. Pancras, St. George-in-the-East, and Chelsea. St. Pancras has a population of 199,000 inhabitants, and extends over 2,716 acres, with a rateable annual value of property of 800,640*l*. The estimated number of children in 1858, between the ages

of 3 and 15, was 47,882; and of those between 3 and 12 was 41,613. St. George-in-the-East contained a population of nearly 54,000, and comprised an extent of 222 acres. The rateable annual value of property was 170,292*l*.; the number of children between the ages of 3 and 15 in 1858 was 13,752; and of children between 3 and 12 was 11,281. The parish of Chelsea contained a population of 72,000; the parish extended over 771 acres; the rateable annual value was 234,248*l*.; and the number of children between 3 and 15 was 17,747; and between 3 and 12, 15,000. In St. Pancras there were 467 day schools, with 24,575 pupils; 50 evening schools, with 2,522 pupils; and 102 Sunday schools with 15,482 pupils: total number of schools, 619. In St. George-in-the-East there were 114 day schools, with 3,598 pupils; 88 private schools, with 2,382 pupils; 11 evening schools, with 760 pupils; and 17 Sunday schools, with 3,051 pupils. And in Chelsea there were 137 day schools, with 6,215 pupils; 91 private schools, with 8,439 pupils; 10 evening schools, with 515 pupils; and 37 Sunday schools, with 5,361 pupils. The commissioners lamented the short and irregular attendance of children at school. A comparison of the period of attendance with the number of scholars shows that the number of those who have attended less than one year is actually greater than of those attending any other portion of time. The demand for education is unequal, and depends much upon the activity and energy of the leading ministers and the popularity of the schools. As for the cause of the non-attendance at school, want of will much exceeds the want of power; and the source of this unwillingness is indifference resulting from ignorance, and not any objections either to the kind of education, the capability of the teacher, or religious difference. Other causes are, the want of evidence of any immediate results of education; the want of attractiveness in the schools; the fact that the mode of teaching is not calculated to interest; the low wages and the need of help to supply the deficiency by the early employment of children; the all-prevailing and dreadful prevalence of drunkenness in parents, which absorbs the means which would provide for the education of these children. The education most valued is reading, writing, arithmetic, and geography, for children who have to earn their livelihood; and reading, drawing, and music for those who contribute to the instruction and amusement of the home circle. Grammar and history are but very little cared for. Prizes and certificates for long attendance are but very slightly in operation in the district. "In St. George-in-the-East there exists an institution which offers a prize of no ordinary value for long attendance at school. It is termed Raine's Foundation, and consists of an asylum where 40 girls are lodged, clothed, boarded, and instructed free, with this singular privilege attached:—Each girl who remains till 16, and then passes six years in employment or service, and at 22 brings back a certificate of good character, is entitled to draw lots for a marriage portion of 100*l*. Two of these portions are allotted every year, and the award is made the occasion of a festival to the school, and conducted with much solemnity. In connection with the asylum there are two schools, one for boys, and one for girls, limited to 50 each, at which the education and clothing are free, and upon these are engrafted national schools of the ordinary character, the children paying 2*d*. and 1*d*. a week. From the national school the children are promoted by merit to the select 'fifties,' and from the 50 select girls are chosen, likewise by merit, the 40 inmates of the asylum. So far as girls are

concerned, a more powerful stimulus to long and punctual attendance can hardly be devised, and both the rector and several of the trustees stated that the effect upon the immediate neighbourhood was extremely beneficial. The girls of the asylum are known by the familiar name of the 'Hundred Pounds,' and are naturally in great request among the young men. It is a condition of the permission to draw for the marriage portion, that the candidate for the young woman's hand should be approved by the trustees, and this operates as an inducement to good conduct on the part of the young men. A girl who is unsuccessful on one occasion is permitted to try her fortune over again so long as the conditions required by the trustees are in force, and this again operates still further as an inducement to steadiness and perseverance in good conduct. At the boys' school there is an apprenticeship fee of 3*l.* for boys who stay till after fourteen, and then leave with a certificate of good conduct, but this is found practically inoperative in prolonging their stay. At the visit of the commissioners there was not a single boy of the age of fourteen at the school. Even at the asylum, although the universal testimony of the neighbourhood was in favour of the institution, and of its powerful effect in promoting the stay of the children, the individual experience of the commissioner was rather of an opposite character. During his investigation four of the favoured prospective 'hundred pounds' ran away; and he was informed that the previous year no fewer than eight girls had demanded to be sent home. Some questions of diet and the irksomeness of confinement were stated to me to be the reasons of dissatisfaction."

The commissioner concluded his report with observing, "First, that education has made and is making rapid progress. From the most poverty-stricken and neglected corner of St. George-in-the-East to the richest and most cultivated quarter of St. Pancras or Chelsea, a decided increase in the desire for education, and a marked improvement in its quality, are asserted by those whose lengthened experience enables them to contrast the past with the present. I myself can testify to the almost universal admission of its necessity, and the equally prevalent feeling that religion should be an ingredient in it. Secondly, that the most powerful obstacle to education among the working classes is drunkenness, and that mere knowledge has less effect in repressing this than is supposed. District visitors, and others sufficiently intimate with the poor to see their characters and habits, have confirmed my observation, that with them, as with the upper classes, the most furious passions and the lowest sensuality are not unfrequently combined with great power of intellect and love of reading; but a comfortable home, which is much promoted by the industrial training of children, is most effectual in alluring the working man, and preserving him from the temptation of the alehouse. Schemes of education, therefore, which have a tendency to break up the home circle, and to interfere with family affection, cherished by protection afforded, knowledge imparted, and services rendered, are objectionable; but, with the attempt to extend education, there should be combined the improvement of the dwellings of the poor. At present, too often, they live like beasts, yet without their ignorance of evil, and the results are brutality and vice, which entirely neutralize educational efforts. Thirdly, that the present system has failed chiefly in what could never have been fairly expected from it,—to fix moral habits before the age of twelve by teaching five hours a day for less than 200 days in a year, in opposition, generally, to all surrounding influences; that as it is impossible to make

future advantage to the child appear more valuable to selfish or necessitous parents than his immediate earnings, however small, care should be devoted rather to the improvement of the infant school, and to the attendance of children at the earliest possible age, than to the prolongation of their stay at the ordinary day school; and that provision should be made for the completion of education by the extension and improvement of half-time and night schools. Fourthly, that the Government system does not press hard upon religious differences. Almost all the life and spirit of educators are the results of religious conviction; and as conscientious and warm-hearted men will never be persuaded to give up their differences, it is better to afford them every facility for working in their several ways, within a reasonable limit, than to oppress education by too much uniformity, or too rigid rules, which would result in leaving it in the hands of the indifferent, and would occasion many of the poor to send their children to uninspected and inferior schools. Fifthly, that the principle of the present Government system to interfere by promoting and assisting local exertions should be preserved, but that the national grant should be largely increased. If, in the case of workhouse schools, ratepayers have satisfied themselves that the soundest economy consists in educating universally and highly, and that by this means the perpetuity of pauperism in families is decreased, may not the same principle be applied to the nation? May not the national educational expenditure be largely increased, in confidence that an equivalent will be realized in the saving of the cost of maintaining and punishing criminals, and the restoration of profitable industry to the country? Sixthly, that to carry out still further the principles of indulgence to religious differences, it should be made a condition of aid that all schools admit children without distinction of sect, consenting upon the requisition of parents that the learning of any religious formulary or catechism, or attendance at any public place of worship, be not required."

Dr. W. B. Hodgson reported on the state of popular education in the metropolitan district in the unions of St. George, Southwark, Newington, Wandsworth, St. Olave, Southwark, and St. Saviour's, Southwark. In this district were 196 public schools, with 25,879 pupils; and 543 private schools, with 12,589 pupils. There were also 42 infant schools, with 5,664 children. The number of ragged schools was only 14, with 1,908 pupils. Dr. Hodgson commented at length on the state of the private schools. "Two things were remarkable, the recent date of many of those schools, and the brevity of their duration. These two things are, indeed, but different phases of the same thing. When other occupations fail, even temporarily, it is an ever ready resource to open a school. No capital is required, no outlay beyond the cost of a ticket to hang in the window. The smallest room that suffices for the combined parlour, kitchen, and bedroom of a single person, suffices for the largest number of children likely to be drawn together; the floor serves instead of benches; desks are not needed, even if there were space for them; the children bring what books they please; and the establishment is complete, unless, indeed, a cane be added as a not always idle emblem of authority. The closeness of the room makes animal heat save artificial fuel; and though foul air may for a time make the children restless, it soon acts as a narcotic, and, in keeping them quiet, is as effective as Daffy's elixir, and much cheaper. Should the income not suffice to pay the rent, an emigration ere long takes place; the children are dispersed or received

by the next tenant; and the ticket adorns another window, perhaps in the same or in an adjoining street, unless recourse be had to quite a fresh field. In not a few cases disappearances, substitutions, reappearances, occurred during the limited period of this inquiry; and questions as to the whereabouts of the missing one were evaded with true neighbourly sympathy, it being naturally supposed that the questioner had his curiosity rooted in some pecuniary claim. On the other hand, several schools, even of the rank of dames' schools, had existed for many years, and in some cases had passed through different hands in hereditary descent. Loud and manifold were the complaints of inroads made by public and ragged schools, which taught everything for nothing, and which were turning the world upside down (I do not quote *verbatim*), effacing the distinction of ranks, and unfitting the poor to be servants of others, without rendering them masters of themselves. As is natural, it was among the most ignorant generally, but by no means always, that such complaints were most rife. Great apprehensions were often expressed lest Government should extend the system of cheap public schools. Some exulted in having gained over a few pupils from the public schools, in which, as they said in substance, much was taught, but little learned. Many, on the other hand, bewailed the number of ignorant private competitors, and urged the necessity of preventing any from teaching who had not passed a regular examination. Strangely enough such views were not seldom expressed by teachers themselves most illiterate, though they might in their early days have seen the inside of a school, and so call themselves educated. One elderly woman told me that 'teachers ought to be made to pass an examination, as surgeons *does*.' Each seemed to think his or her neighbours unlicensed interlopers; each sought defence against fresh intruders into the field already over-occupied. Some deplored the ignorance of parents who could not distinguish schools of real merit from those of mere pretension, especially if the fees of the latter were less expensive. Many lamented the difficulty of maintaining any scale of fees, and not only of procuring pupils at reduced prices, but of obtaining even the reduced fees when due. Many children, I was often told, were shifted from school to school, the fees being left unpaid. In some schools, in which the fees were graduated according to the number of subjects taught, it was scarcely disguised, that it was wished to discourage writing, as a troublesome extra, scarcely within the province of an elementary school. In others, the copy-books of the favoured pupils were shown with pride; in many writing was taught exclusively on slates, these being often held upon the pupil's knee. Ample evidence is afforded to justify the assertion that none are too old, too poor, too ignorant, too feeble, too sickly, too unqualified in any or every way to regard themselves, and to be regarded by others, as unfit for school-keeping. Nay, there are few, if any, occupations regarded as incompatible with school-keeping, if not as simultaneous, at least as preparatory employments. Domestic servants out of place, discharged barmaids, venders of toys or lollipops, keepers of small eating-houses, of mangles, or of small lodging-houses; needlewomen, who take in plain or slop-work; milliners, consumptive patients in an advanced stage, cripples almost bedridden, persons of at least doubtful temperance, outdoor paupers, men and women of seventy and even eighty years of age, persons who spell badly (mostly women, I grieve to say), who can scarcely write, and who cannot cipher at all—such are some of the teachers not in remote rural districts, but in the heart of

London, the capital of the world, as it is said to be, whose schools go to make up two-third of English schools, and whose pupils swell the muster-roll that some statistical philanthropists rejoice to contemplate, and to inscribe with the cheering figures 1 in 8."

In commenting on the attendance at school and on the accommodation, Dr. Hodgson made some pointed observations on the value of averages, as follows:—

Value of Averages.—"It will surely not be contended by any one who knows the actual working of elementary schools, that attendance for *less* than 150 days in a year can enable a scholar to profit considerably by the instruction which such schools are fitted to give. But there is a wide difference between 150 days spent continuously in school, and 150 days distributed irregularly over the year, with here and there a gap of few or many days. In most cases of small total attendance, the latter is the fact, not the former. Again here, as in other things, estimate by average is seriously fallacious. An average of days' attendance may be made up in very various ways. If one boy attends 200 days and another 100, it is practically quite a delusion to say that the average of their attendance has been 150 days. If one man has an income of 200*l.* a year, and another of 100*l.*, what avails it to say that their average income is 150*l.*? Is one any the richer, or the other any the poorer on that account? If we were to divide by the total number of English mouths the quantity of butchers' meat annually consumed in England, would the quotient represent the amount actually consumed by each unit of the population? Surely not, so long as some eat more than enough, while others eat none at all. If the analogy halts, it is only because in education none have more than enough; the largest possession is not excessive. But further, though 'half a loaf is better than no bread,' and a shilling in the pocket is better than an empty purse, in education what stops short of a certain point is often wholly lost. Lessons imperfectly understood, inaccurately learned, pass away from the mind, leaving it a vacuum, or what is worse, a chaos. The very fact that educational results are so commonly tested by averages seems to show how little education is generally understood."

Dr. Hodgson ends his valuable report with the following observations:—

"It is now time that I should sum up briefly the chief conclusions to which the attention of the commissioners is respectfully requested. Admitting freely and thankfully the increase that has been made since 1851 in the number of schools and especially scholars, as well as the great improvement in modes of teaching which has taken place, and is still in progress, there are many considerations which may well check exultation.

"1. Fully two-thirds of day-schools (in my district nearly three-fourths) are private. Of many of these the actual condition has been shown to be deplorable, and there are others but little better. Excluding the schools of the upper classes, about one-sixth of the whole are dames' schools. All are uninspected, and almost all conducted by persons not specially trained to teaching, no qualification whatever being required; many by persons who have failed in other callings; a few by persons who carry on other callings simultaneously. Many are held in premises injurious to health, and quite unsuitable for school purposes. Probably the instruction in many upper schools is not superior, if equal, to that given in the better sort of National or British and Foreign schools.

"2. Of the public schools, nearly a half are not inspected, and many, endowed as well as unendowed, are not superior to very badly conducted private schools, either as to premises or as to instruction. Endowed schools especially need supervision.

"3. Even in the best public schools the average attendance is much below what it ought to be, and what it is in an exceptionally good school. Not much more than one-third attend from 150 to 200 days in the year, the number of days required for the capitation grant being 176; while large numbers must receive scarcely any real instruction at all, though their names may be on the school books.

"4. Of the children between 3 and 15 years, more than one-half (52 per cent.) do not appear even on the school books, whatever deductions may be fairly made for children taught at home, or detained from school by illness. If 3 to 12 be adopted as the school period, instead of 3 to 15, the case is not much mended, the difference being only 3 per cent.

"5. A large proportion of children leave at an age too early to profit by even such instruction as they have received, its traces being in great danger of rapidly vanishing, or, at least, of being gradually effaced.

"6. Sunday-school teaching, while the average attendance is lower than in the day schools, is very far short of what it ought to be, and might be, as regards influence on future conduct, and on the prevention of evil habits and their consequences.

"7. Evening schools, which ought to supplement the day schools, are disproportionately few, precarious, unorganized, and unattractive, with small attendance, and yet insufficient teaching force.

"8. In all schools, high and low, as well as in the training colleges, there is a systematic neglect of subjects the most important in their bearing on conduct and happiness; the conditions of bodily and economic well being, with their relations to individual and social duty.

"9. While instruction is in some respects fragmentary and unpractical, in others it is vague, indefinite, and unapplied to ordinary affairs. Religious teaching consists too much of mere repetition of precepts in the words of Scripture, of Scripture history, geography, antiquities, of verbal formularies of doctrines,—the process tending rather to benumb the understanding than to touch the heart and enlighten the conscience, and to substitute oral profession and mechanical acquiescence for mature conviction and steady moral principles, rooted in rational belief and bearing fruit in acts.

"10. While the education of the country, apart from the Privy Council scheme, is a piece of patchwork and hap-hazard, here a plethora, there a famine, and full health nowhere, the only attempt at a national system, to say nothing here of its defects, seems to have outgrown the power of centralisation, and to be in danger of breaking down through its very unwieldiness.

"I am well aware that it is no part of my duty to suggest remedies for these evils, even if their existence be fully admitted. But I trust the commissioners will bear with me for some moments longer while I hint at a few things which seem to me of the greatest consequence, whatever course they may recommend in extension, modification, or abolition of the present system.

"1. That as the very justification of a national system is the necessity of providing for those who cannot provide for themselves, the anomaly be discontinued of aiding only, or chiefly, those who are able to help themselves,

while the poorer classes are left to voluntary philanthropy, and that attention be directed chiefly to the classes for whom the ragged schools now make the only very imperfect provision. The children of outdoor paupers have the very foremost claim on the assistance of the State on the ground whether of benevolence or regard to self-preservation; next come the vagrant children of the streets, for whom the law has provided in Aberdeen and elsewhere.

2. That if, as is probable, it be found that direct compulsion cannot and ought not to be employed, and that indirect compulsion will not avail to stay the evil of premature removal from school, short attendance be accepted as a necessity, and met in three ways: 1st, by the multiplication and improvement and encouragement of infant schools at the *beginning* of the school-course; 2nd, by the multiplication, improvement, and encouragement of evening schools at the *end* of the school-course; 3rd, *intermediately*, by improving the quality and increasing the attractiveness of the ordinary day school. Between the years of three and ten great things are possible with a judicious and zealous use of means, and a wise and vigilant economy of time. Improved quality of instruction is but a synonyme for increased attractiveness. Now, if school can be rendered really attractive, the following results may be expected to follow sooner or later, one and all:— 1, greater regularity and punctuality of attendance; 2, good conduct and diligence while at school; 3, good influences on the home, by exciting the interest of parents; 4, prolonged attendance at school; 5, greater readiness to pay school-fees, even of increased amount; 6, stimulus to all surrounding schools to go and do likewise; 7, willingness, even desire, to continue the work of self-improvement in the evening-school; 8, in the next generation, a stronger wish on the part of parents to send their children to school, with which they themselves shall have pleasing, instead of, as now too often, painful associations.

The improvement of the school in efficiency and attractiveness implies the improvement of the teacher; and this again raises the question how the training college can be brought to bear most effectively on the greatest number of future teachers.

As regards the Privy Council scheme, I have already spoken of changes desirable in the matter of inspection. Only one thing more do I wish to say. It is to be hoped that the minute of council which prevents aid from being extended to schools in which the Bible is not read will be speedily repealed. It served its purpose, as did the omission of Roman Catholics, in the times of unworthy compromise that saw the rise of the committee of council system. Were it repealed, the Bible would surely still continue to be read by all who think it right to do so in school. To aid so-called secular schools in common with other schools is as widely different from secularising the education of the country, as is the admission of Jews into the House of Commons, from the exclusion of all Christians from it. The present system is a concession to intolerance, and a premium to hypocrisy. Its conditions are evaded by the unscrupulous; it is on the conscientious that it falls heavily.

Many of the most deserving schools anywhere to be found, schools morally as well as intellectually admirable, such as the commercial school of the Liverpool Institute, the schools of the Manchester Mechanics' Institute, the Manchester Free School, and many more, which are well known among educationists as true model schools, are thus outlawed and declared

unworthy of national recognition. It is a strange reflection that if a school teaches that Jesus Christ is an impostor, and that the Messiah is yet to come; or that the Trinity is a fable, and the atonement a dream; or that the members of the Privy Council, and her Majesty's education commissioners, to boot, being heretics, are beyond the pale of salvation, it will, in any of those cases, receive money from a Christian and Protestant and orthodox Government; but if it teaches only those great laws of nature and Providence which all men, Protestant and Catholic, Trinitarian and Unitarian, Christian and Jew, alike recognize,—if it seeks to make the children of parents of various creeds useful and upright members of society, without theological indoctrination, the State indignantly bids it begone, and sends it empty away!

Reports on the State of Popular Education in Continental Europe.

Mr. Matthew Arnold, M.A., reported on the systems of popular education in use in France, Holland, and the French cantons of Switzerland.

After giving a complete account of the progress of education in France, with a description of the effect of the Revolution on education, and of the nature of the law of 1833, introduced by M. Guizot, Mr. Arnold came to the organic decree of the 9th March, 1852, and the law of June, 1854, which form the body of legislation actually in force in France on the subject of public instruction. This system gave to the mayor and the minister of religion in every commune the supervision and moral direction of primary instruction. The old committee were replaced as to some of their functions by delegates from each canton. The canton is a division larger than the commune, smaller than the arrondissement. But these cantonal delegates are the nominees of the departmental council. They inspect the primary schools of their canton, but their powers only enable them to address representations on the results of their inspection to the departmental council or the inspector, and they have no real authority over the schools or teachers. The departmental council meets twice a month, at the chief town of the department. It consists of 13 members presided over by the prefect. Every member, except the prefect, the procureur-général, the bishop, and ecclesiastical nominee of the bishop, who sit of right, is nominated by the minister. This council has very extensive powers. It nominates the cantonal delegates and the commissions charged with the examination for certificates. It has the regulation of the public primary schools, fixes the rate of school-fees to be paid in them, draws up the list of teachers admissible to the office of communal teacher in the department, is the judge of teachers in matters of discipline, can even interdict them for ever from the exercise of their profession, subject to an appeal to the imperial council of public instruction in Paris. It can refuse to any teacher, without right of appeal, that permission to open a private primary school which the law of 1833 accorded to all teachers provided with certificates of morality and capacity. But it cannot nominate, suspend, or dismiss a teacher. This power, after some fluctuation, has been confided to the promptest, the sternest, the strongest of public functionaries—the functionary on whose firm hand the Chamber of Deputies in 1833, in its zeal for a more stringent control of public instruction, had in vain cast longing eyes—the prefect. Even the ministerial institution is no longer necessary for the teacher. The prefect names, changes, reprimands, suspends, and dismisses all public primary teachers of every grade. To interdict them absolutely and for ever from the

exercise of their profession is alone beyond his power. It has even been decided that a clause in the decree of 1852, giving to municipal councils the right to be heard respecting the nomination of their communal teacher, means merely that they are at liberty to inform the prefect whether they prefer a layman or a member of a religious association.

But the prefect exercises his authority "on the report of the academy-inspector."

This introduces us to a new wheel in the machinery of French public instruction. The academies of France, the constituent members of the University, have been at different times twenty-six, twenty-seven, and eighty-six in number. They are now but sixteen. Each academy has a district embracing several departments. The rectors of academies, who under the first Empire and the Restoration were the rulers of primary instruction, have now in their charge only its normal schools, and in elementary schools the methods of teaching and course of study. But attached to every rector, for each of the departments composing his district, is a functionary called an academy-inspector. This official's chief concern is with secondary instruction, but he has also the general supervision of primary instruction; it is to him that the primary inspector makes his reports, and by his representations the prefect, in dealing with the primary teachers, is mainly guided.

One other authority remains to be noticed. It is the imperial council of public instruction. This council is the latest development of the council of the university, of the commission, council royal, and superior council of public instruction. Its composition has undergone many changes. The minister has always presided at it; but of its members the majority were formerly chosen by the great ecclesiastical, judicial, or learned bodies whom they respectively represented, and it had a permanent section composed of members named for life. Every member is now named by the Emperor; the permanent section is abolished, and members are appointed for one year only. Before this council the minister, if he thinks fit, brings for discussion projected laws and decrees on public education. He is bound to consult it respecting the programmes of study, methods, and books, to be adopted in public schools. To watch in the provinces over the due observance of its regulations on these matters, is the business of the rectors and their academic councils. Finally, the imperial council has to hear and judge the appeals of teachers on whom departmental councils have laid their interdict.

Thus the French public teacher, in place of the general supervision of the communal council, in which the prepossessions of one member often neutralized those of another, is now put under the individual supervision of two persons, the mayor and the curé. These watch over the morality and religion of his school; the cantonal delegates watch over its instruction. Above these, in place of the easy district committee, armed with power indeed to reprimand, suspend, or dismiss him, but slow to exercise this power, and liable to have its extreme sentence, that of dismissal, reversed by an appeal to a higher authority, he has the ever-wakeful executive, the prefect himself, armed with powers which he is prepared to use, and against which there is no appeal. Finally, his scholastic career may be closed altogether by the departmental council.

But the new legislation, though thus tightening the reins of control for the teacher, could not possibly leave his salary unimproved. His pecuniary condition was so lamentable as to call pity even from his enemies; many

thought, indeed, that to the misery of this condition were due nearly all the faults which had made enemies for him. The fixed salary of 8*l.* a year was retained; but it was provided that where the school-fees added to this did not make up an income of 24*l.* a year, what was wanted to complete this sum should be paid by the public. This was, in fact, to increase the charges of the State; for no additional taxation was imposed on the commune or the department. With so vast an army of public teachers, to increase the pittance of each even a little was formidably expensive. A new law provided a class of "supplying teachers," *instituteurs suppléants*, less costly than the regular communal teacher. In future no one could be appointed communal teacher who had not served for three years since his twenty-first year as an assistant (*adjoint*) or as a supplying teacher. The same decree permitted public mixed schools, where the scholars were not more than forty in number, to be placed under the charge of women, whose salary was to be that of supplying masters. These new teachers were divided into two classes; the minimum of salary for the first was fixed at 20*l.* a year, for the second at 16*l.* year. They were only to be employed in communes where the number of inhabitants did not exceed 500, or temporarily to fill vacancies in larger places. But on one pretence or other, large as well as small communes in considerable numbers soon managed to confide their schools to these cheaper teachers. The sufferings which the law of 1850 had sought to alleviate reappeared. By a decree due to the present minister of public instruction, M. Rouland, the lower class of *suppléants* was abolished, and there is now but one class of supplying teachers, and one minimum of salary for them, 20*l.*

This is grievously insufficient; but it must not be supposed that all the public schools of France are starving their teachers on 20*l.* or 24*l.* a year. These are *minima* of salary, frequently exceeded by the free will of communes, and for which no good and experienced teacher can be obtained. The law permits a commune, if it pleases, to establish schools entirely gratuitous; only it must support these schools out of its own resources. In all the principal towns of France this is done, as there is not one communal school in Paris, for instance, in which a scholar pays anything. The teachers of these schools have therefore no school-fees to trust to; but they receive from the municipality salaries far exceeding the bare legal rate; salaries which, though not equal to those of similar teachers in England or Holland, are sufficient to maintain them in comfort. It is in the villages and hamlets of France, that the privations of underpaid schoolmasters are to be witnessed. The new legislation has thus altered the law of 1833 in all which concerns the supervision of primary schools. It has attempted, not very successfully, to amend the pecuniary situation which M. Guizot's law created for the primary teacher. But the grand and fruitful provision of M. Guizot's law, the money clause, the happy distribution of the cost of public schools between the commune, the department, and the State, victoriously endured the test of hostile criticism. It remained unassailed and unassailable, modified only in an insignificant point of detail.

Another important provision of M. Guizot's law remained untouched; that which guaranteed religious liberty in public schools. It is the happiness of France, indeed, that this liberty is so firmly established, that no legislation is likely to try to shake it. Among the many interesting instructions written by M. Guizot between 1833 and 1837, none are more interesting than those which relate to this vital question. The text of the law of

1833, and the tolerant disposition of M. Guizot himself, tended to make denominational schools, as we should call them, the exception, and common schools the rule. "In certain cases," says the law, "the minister of public instruction may authorize as communal schools, schools more particularly appropriated to one of the religious denominations recognized by the State." "It is in general desirable," writes M. Guizot, "that children, whose families do not profess the same creed, should early contract, by frequenting the same schools, those habits of reciprocal friendship and natural tolerance which may ripen later, when they live together as grown-up citizens, into justice and harmony." But the dangers to which religious liberty was sometimes exposed in these common schools did not escape him. He wished the religious instruction to be, above all things, real; not "a series of lessons and practices apparently capable of being used by all denominations in common." Such vague abstractions, he said, "satisfied the requirements neither of parents nor of the law; they tended to banish all positive and efficacious religious teaching from the schools." But, the more the religion of the majority is taught positively and really in a school, the more it becomes necessary to guard the liberty of the minority. There is danger either that the minority will be made to participate in the religious instruction of the majority, or else that its own religious instruction will be left uncared for. Against both dangers M. Guizot endeavoured to provide. Rectors were charged to see that in public schools no child of a different religious profession from that of the majority was constrained to take part in the religious teaching and observances of his fellow scholars. They were to permit and to request the parents of such children to cause them to receive suitable religious instruction from a minister of their own communion, or from a layman regularly appointed for the purpose. They were to take care that in every week, at fixed hours to be agreed upon between the minister of religion, the parents, and the local committee, such children were conducted from the school to the Protestant temple, or any other edifice frequented by members of their communion, there to take part in the lessons and practices of the faith in which they had been brought up. Inspectors and local committees were strictly enjoined to see these regulations observed. Similar provision was made for religious instruction and religious freedom in the normal schools. Finally, where the minority had cause to desire a school to itself, and reasonable numbers to fill it, the authorities were to be very heedful that its demand was not unjustly refused by the municipal councils.

The event proved that religious instruction in common schools presented grave practical difficulties. The new law profited by the lessons of experience. Under the dominion of the new law denominational schools are the rule, common schools are the exception. In those communes where more than one of the forms of worship recognized by the State is publicly professed, each form is to have its separate school. But the departmental council has power to authorize the union, in a common school, of children belonging to different communions. Of children thus united, however, the religious liberty is sedulously guarded. It is provided that ministers of each communion shall have free and equal access to the school, at separate times, in order to watch over the religious instruction of members of their own flock. Where the school is appropriated to one denomination, no child of another denomination is admitted except at the express demand of his parents or guardians, signified in writing to the teacher. Of such demands

the teacher is bound to keep a register, to be produced to all the school authorities. I confidently affirm, in contradiction to much ignorant assertion, that the liberty thus proclaimed by the law is maintained in practice. The venerable chiefs of the principal Protestant communities of the French provinces,—the president of the consistory of Nismes, the president of the consistory of Strasbourg,—individually assured me, that as regarded the treatment of their schools by the authorities, they had nothing whatever to complain of; that Protestant schools came into collision with the authorities no otherwise than as Catholic schools came; that such collision, when it happened, was, in nine cases out of ten, on matters wholly unconnected with religion. In Languedoc, indeed, the embers of religious animosities still smoulder; but it is among the lower orders of the population. It is not that the State persecutes the Protestants; it is that the Protestant and Catholic mobs have still sometimes the impulse to persecute each other, and that the State has hard work to keep the peace between them.

The law of 1833 had proclaimed the right of all indigent children to free instruction. Many who were not indigent had usurped this boon designed only for the poor. The law of 1850, to prevent this abuse, directed the mayor and the ministers of religion to draw up yearly, for each commune, a list of children having a real claim to the privilege; but it was soon found that the mayor and the ministers were far too easy. In fact, the moment a commune had levied its three centimes, all motive for economy on the part of the communal authorities ceased; all further school expenses must be at the charge of the department or the State. At the expense of the department and the State, therefore, the parish authorities freely enlarged their list of claimants for free schooling. As a last resource, the never-failing prefect has been charged to determine annually, for every public school of his department, the highest number of free scholars to be admitted into that school; the free admissions granted by the mayor and his colleagues must in no case exceed this number. Nor can any free scholar be admitted into a communal school unless he brings with him a ticket for free admission granted by the mayor; this last provision applies even to schools entirely gratuitous.

Finally, the law of 1833 had attempted to establish for the benefit of the lower middling classes of France a superior grade of primary instruction, which, without assuming a classical and scientific character, might yet carry its recipients much beyond the instruction of the elementary schools. It had imposed upon every urban commune, which either was the chief town of a department, or contained more than 6,000 inhabitants, the obligation of establishing, besides its elementary schools, a "superior primary school." It had instituted two grades of certificates, corresponding to the two grades of instruction. M. Guizot desired that "as there was to be no commune without its primary school, and no department without its normal school, so there might be no town of 8,000 or 10,000 inhabitants without its 'middle school' to crown the edifice of public instruction, and to stop only where the learned studies of classical schools commence." He provided that in these middle schools a certain number of free admissions should be reserved for the best scholars of the elementary school, to be presented, after a competitive examination, by the communal committee. The design seemed admirable, yet it had not well succeeded. Not that the obligation of the law was eluded: in 1843, out of 290 communes bound to establish superior primary schools, 222 possessed them; 103 communes, not bound

to provide such schools, had voluntarily established them; but they did not much attract the population. In 1837, the average attendance of scholars in the whole number of superior primary schools, public and private, then existing in France, did not exceed twenty-eight in each. The lower class of the population remained satisfied with the primary schools; the class above them continued, where the primary schools did not satisfy it, to struggle into the communal colleges. As it is, France possesses a vast system of public secondary instruction in its 63 lyceums and 244 communal colleges, inspected by the State, aided by the State, drawing from this connection with the State both efficiency and dignity; and to which in concert with the State, the departments, the communes, private benevolence, all co-operate to provide free admission for poor and deserving scholars.

The result of these laws and regulations is, that in 1857 there were in France 65,100 primary schools—39,600 boys' or mixed schools, and 25,500 girls' schools. The 39,600 boys' schools were 36,200 public and 3,400 private; and the 25,500 girls' schools were 13,900 public and 11,600 private. There were 17,000 mixed schools, of which 2,250 were taught by women, of whom the greater number belonged to religious orders. The remaining mixed schools were under male teachers. The number of children under instruction in these schools is 3,850,000, divided as follows: Boys, in boys' or mixed schools, 2,150,000; girls, in girls' schools, 1,450,000; girls, in mixed schools, 250,000—total, 3,850,000. Of these children 2,600,000 paid for their schooling; 1,250,000 were free scholars. The total expense of primary instruction in France, for the year 1856, was 42,506,012*f.* 46*c.* This is, in round numbers, 1,700,000*l.* The items of this expenditure are, in fact, ordinary and obligatory, recurring every year in part extraordinary and facultative. The obligatory charges consist of teachers' salaries, 26,197,503*f.*; rent of school-houses, 1,488,307*f.*; printing forms, &c., 107,741*f.*; expenses of normal schools, examination inspectors, &c., 2,130,868—total obligatory, in round numbers, 1,197,000*l.* The facultative or optional expenditure consisted of maintenance of girls' schools and infants' schools, building, repairs, &c., 9,900,000*f.*; normal schools for young women, books, printing, &c., 2,681,397*f.*—total extraordinary expenditure, 503,000*l.* To meet this expenditure there were received—from donations and legacies, 184,320*f.*; from families, by fees paid by scholars, 9,900,000*f.*; from communes, by obligatory school-taxation, 11,955,060*f.*; by voluntary school-taxation, 9,900,000*f.*; from departments, for ordinary expenses, 4,101,213*f.*; for extraordinary expenses, 1,171,916*f.*; from the state for ordinary expenses, 3,660,093*f.*; for extraordinary expenses, 1,509,844*f.*—total, 42,297,332*f.*: so that the amount received nearly equalled the amount expended. France possessed, in 1856, 65,100 primary schools. Of this number all but 15,000 were not aided, but *maintained* out of an expenditure of not less than 1,750,000*l.* sterling; the 15,000 private schools received amongst them some assistance; but the 50,100 public schools were maintained. In France, taxation for schools does not appear to extinguish voluntary effort for their support. Although the French communes are heavily taxed for education, they voluntarily impose on themselves additional taxation, in order to make their boys' schools better, in order to provide themselves with girls' schools and infant schools, the establishment of which the law does not make obligatory.

Mr. Arnold concluded his report with the following general observations on the French system of education:—

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First, then, with respect to a question which meets every system of education upon the threshold—the great question, shall it be secular or shall it be religious? The French system is religious; not in the sense in which all systems profess to be more or less religious, in inculcating the precepts of a certain universal and indisputable morality; it inculcates the doctrines of morality, in the only way in which the masses of mankind ever admit them, in their connexion with the doctrines of religion. I believe that the French system is right; when I come to speak of Holland I shall have more to say of this matter, and shall perhaps be able to give to the commissioners some important information on it; at present I content myself with saying that this side the French system has chosen. Here it coincides with the systems of England and Germany. Morality, but dignified, but sublimed by being taught in connexion with religious sentiment; but legalized, but empowered by being taught in connexion with religious dogma; this is what the French system makes the indispensable basis of its primary instruction.

But what dogma? Secular education is one; it would be well, no doubt, if religious education could be one also. It would be well, unquestionably, if there reigned everywhere one truly Catholic religious faith, embracing all the faithful in a common bond. But the spirit of sect exists; it has committed its deplorable ravages; it is necessary to take account of them. Forcibly to repress it is impossible, except by evoking a spirit more noxious than even the spirit of sect, the spirit of religious persecution. But the French system does not seek divisions; it accepts those that are radical, irreconcilable. All minor shades of division that are not incurably separate, that may without violence to their nature combine, it leaves to combine, it does not deepen by distinguishing them. Protestantism and Roman Catholicism, the great rival systems of authority and inquiry—Judaism, inveterate in its fated isolation—these it recognises as necessary, irreconcilable, religious divisions in a modern State of Western Europe. It recognizes these, but it recognises no other. In an empire of thirty-six millions it recognizes no other.

Here the English system diverges. In Great Britain, in a population of 21,000,000, it recognizes no less than seven religious incompatibilities. If it followed the French example, it would accept, as denominations essentially distinct, at most only Anglicanism, non-Anglican Protestantism, Roman Catholicism, Judaism. As it is, it distinguishes Anglican Protestantism, the Biblicalism of the British and Foreign School Society, the Protestantism of Wesleyan Methodism, the Protestantism of the Orthodox Church of Scotland, the Protestantism of the Free Church of Scotland, the Protestantism of the Episcopalian Church of Scotland, and Roman Catholicism.

But the divergence does not stop here. The French system recognizes certain religious divisions in the population; but it does not divide itself in order to meet them. It maintains its own unity, its own impartiality; in their relations with the State, with the civil power, all denominations have to meet upon a common ground; the State does not make itself denominational, they have to make themselves national. When the concordat was under discussion, neither supplication nor adroitness could prevail with Napoleon to give to the State itself an exclusive denominational character; he steadily refused to call the Roman Catholic religion the religion of the State; he would only consent to call it, what it undoubtedly was, the religion of the majority of the French nation. State-inspection represents

the unity of the civil power, not the divisions of rival sects. It takes care that children learn, in the public schools, each the doctrines of his own religion; but it protects each, in learning these, from the intolerance of the other, and itself remains neutral, that it may check intolerance the better. The State, therefore, owes no account to any man of the religious persuasion of its inspectors: for it is not as religious sectaries they have to discharge their duties, but as civil servants; and the moment they begin to discharge them as religious sectaries, they discharge them ill.

In England the State makes itself denominational with the denominations. It offers to them no example of a civil unity in which religious divisions are lost; in which they meet as citizens, though estranged as sectaries. It makes its inspectors Anglican with the Anglicans, Roman Catholic with the Roman Catholics, Orthodox Presbyterian with the Old Church of Scotland, Free Church with the New. It does not hold itself aloof from the religious divisions of the population; it enters into them.

What has been the result? By dint of concession to the denominational spirit, by dint of not maintaining an impartial and unsectarian character, the State, in England, has been betrayed into a thousand anomalies, and has created a system far more irritating to sectarian susceptibilities than if it had regarded none of them. More than four-fifths of the population of France profess Roman Catholicism, and about one three-hundredth part of French inspection is in the hands of Roman Catholic ecclesiastics. One half of the population of England profess Anglicanism, and more than three-fourths of English inspection is in the hands of Anglican ecclesiastics. I heard the other day of an English National school, aided by public money, the only school in the place, which had for one of its regulations that no child of dissenting parents should be admitted unless he consented to be rebaptized. I saw with my own eyes, the other day, in a British school aided by public money, a printed placard stuck up in a conspicuous place in the school room, offering a reward of 10*l.* to any Roman Catholic who could prove, by text, ten propositions; such as, that we ought to adore the Virgin Mary, that we ought to pray for the dead, that St. Peter was unmarried, that he ever was Bishop of Rome, and so on. Is it tolerable that such antics should be played in schools on which the grant of public money confers a public character? Would it be possible that they should be played in a public school in France, where the State permits liberty of conscience but not liberty of persecution? But it is said that the State, in England, has bound itself not to interfere with the management of the schools which it aids. True; but whom does this answer excuse? It excuses the functionaries who administer the system, not the State which made and maintains it. No State has the right thus to shackle its own reason and its own equity.

The French system, having undertaken to put the means of education within its people's reach, has to provide schools and teachers. Here, again, it altogether diverges from ours, which has by no means undertaken to put the means of education within the people's reach, but only to make the best and richest elementary schools better and richer. Should it ever undertake what the French system has undertaken, perhaps it is in the plan for the provision of schools, that it will find its predecessor happiest. Where everything is left to be done by voluntary effort, schools where most needed are not established at all. Where everything, again, is left to be done by the State, there is wasteful extravagance and local apathy. Where every-

thing, finally, is left to be done by the parish, there is niggardly pinching. I read the other day that in Canada the great difficulty in the rating system there followed is that the local boards starve their schools. The French plan places its schools chiefly, but not absolutely, in the hands of local boards; it tempers the parsimony of the parish with the more liberal views of the central power; and between the parish contributor and the State contributor it places a third contributor of less narrow spirit than the first, of more economical spirit than the second,—the department or county.

I am bound to add, however, that in one most important particular, its provision for teachers, the French system has recoiled, through fear of expense, from making adequate use of the machinery at its disposal. The best authorities are all agreed that the fixed salary of the teacher was put by the law of 1833 too low, and that the law of 1850 ought to have raised it directly, instead of attempting, in a circuitous manner, to provide a palliative for its insufficiency. At present the lay teachers tend to quit their profession as soon as they can for some more profitable career; if it were not for the inducement offered by the exemption from military service it would be difficult to recruit their ranks. It is in vain that the State offers to them the lure of honourable mentions, medals of bronze and of silver, and even the rank of academic officer, with the privilege of wearing an official coat with a palm embroidered on the collar; these public distinctions to the teacher are excellent, but they are of no avail so long as he is utterly underpaid.

The machinery of French inspection is perhaps a little redundant. It is found impossible to obtain from the cantonal delegates, unpaid and with occupations of their own, that regular intervention in the details of primary instruction which the Government solicits from them. Possibly, if they gave it, it might be found to bring with it as many difficulties as advantages. A general supervision, with the office of keeping the higher school authorities informed, so that the teacher may feel that neither his efforts nor his negligence escape notice; this is, perhaps, all that can be judiciously asked of the local authorities, or that they can properly give. All above the cantonal delegates is excellent. The primary inspectors are the very life of the school-system; their inspection is a reality, because made when not expected; the Nancy inspector who went round the schools of that town with me, had a pass-key by which he let himself into any one of them when he pleased, and he told me that he entered every public school in the town fifty times in the year. The academy inspectors, receiving the reports of the primary inspectors, and themselves in connexion with the sixteen academies of France, supply local centres for dealing with the mass of details received from the primary inspectors, and thus relieve the central office in Paris. The four inspectors-general, in personal communication with the school authorities, the primary inspectors, and the minister, preserve the latter from the danger of falling a victim to the routine of his own bureaux, while he also obtains from four picked and superior men a unity of appreciation of school-matters which he would seek for in vain from the 275 primary inspectors, chosen necessarily with less advantage of selection. If I were asked to name the four deficiencies most unanimously remarked in our system by the most competent foreign judges whom I met, they would be these:—First, the want of district centres for managing the current details of school-business, and the consequent inundation of our London office with the whole of them; secondly, the inconceivable prohibition to our primary

inspectors to inspect without previous notice; thirdly, the denial of access, into the ranks of the primary inspectors, to the most capable public schoolmasters; fourthly, and above all, the want of inspectors-general.

Having established schools with due safeguards, does the French system compel the children of France to enter them? It does not; in France, education is not compulsory. A few advocates for making it so I met with; but, in the opinion of most of those with whom I conversed, the difficulties are insuperable. Perhaps, for a Government to be able to force its people to school, that people must either be generally well off, as in America; or placid and docile, as in Germany; or ardently desirous of knowledge, as in Greece. But the masses in France, like the masses in England, are by no means well off, are stirring and self-willed, are not the least in the world bookish. The gradual rise in their wealth and comfort is the only obligation which can be safely relied on to draw such people to school. What Government can do, is to provide sufficient and proper schools to receive them as they arrive.

In what numbers have they yet, in France, actually arrived in the public schools, what proportion of the population remains wholly untaught, what sort of education do those who are taught carry away with them? These are questions, which, as I have told you, cannot all of them at present be satisfactorily answered. I believe, however, that the great mass of the population now passes, at some time or other, through the schools. It is an indisputable fact that the attendance in the schools for adults has been for some time falling off, because the actual adult population has grown up in possession of the elementary knowledge which these schools offer. It is a great thing that the primary schools do actually exist almost everywhere in France: they are there; they are always at the population's service, without long journeys, without high fees, without unjust conditions. It is something, that the demand for children's labour is as yet considerably less in agricultural France than in manufacturing England. But I should be deceiving you if I led you to suppose that the French people exhibits any real ardour in seeking education for its children, or that the bait of the gain to be drawn from his child's labour is, when offered, one whit better resisted by a French than by an English parent. Nay, in the great manufacturing region of France, in the department of the North, public opinion and positive law prove far less powerful than in England to contend with the cupidity of the employer, the necessities of the employed. The French law prescribes that the child's day, in a manufactory, shall be of ten hours; the law is not observed; the child works habitually for twelve. Of these ten hours the law commands that two at least shall be given to schooling; when these two hours are given at all, the master habitually makes the child's day, already of twelve hours in defiance of the law, of fourteen hours, in order not to lose the time taken for schooling. In hardly any of the manufactories is there a school for the children employed. In the towns without great manufactures, and in the agricultural districts, more children do, I believe, attend school than in similar places in England. But even these attend very irregularly, and are very easily withdrawn; there are just the same complaints from the French inspectors as from the English of the desertion of schools in summer and autumn. I have looked through the returns, for a number of departments, of the declarations made by conscripts, when drawn for the army, as to their own ability to read and write; the number of those declaring them-

selves unable to do either is remarkable, and contrasts strangely with the alleged attendance of the primary schools. It is true that conscripts show almost always an impulse upon these occasions to cheapen themselves as much as possible, and to acknowledge nothing which may make them more eligible objects for a service which they try to escape. Officers have assured me that men often turned out to be able to read and write perfectly well, who, when drawn, had declared themselves incapable of doing either. But it is true, also, that many a peasant boy does actually lose all his school-learning between the day when he leaves school and the day when he is drawn for the army; he is not the least studious by nature, and his class are not the least studious; they have an incorrigible preference for the knowledge to be acquired at the cabaret, at the village ball, in the great world, over that to be acquired in solitude and from books. Even when fully retained, the instruction carried away from a French primary school is also, undoubtedly, most elementary; although, as I have before said, not quite so elementary as one who merely reads the programme in the law would think; and although not, in my opinion, more elementary than at present, the instruction offered by a State like France or like England to all its people, ought to be and must be. Still, unquestionably, as regards the actual school-learning of the French peasant, the merit of the French system is more in its probable future than in its actual past or present:—the schools are there.

Mr. Arnold reported also on the state of education in Switzerland and Holland, the principal portions of which were embodied in the report.

The Rev. MARK PATTISON, B.D., Fellow of Lincoln College, Oxford, reported on the state of elementary education in Germany.

It is and always has been recognised throughout Protestant Germany that both the State and the Church have an obligation in respect of elementary education. There is no State in which the secular power wholly declines this duty; there is none in which the clergy do not exercise considerable powers of inspection and control. As a general rule, the same officers in whose hands is the government of the Church are charged through all the gradations with the superintendence of the elementary schools.

The technical organization of primary instruction in Prussia divides the superintendence between the Church and the State in the following manner:—The pastor of the parish is *ex officio* local inspector of the elementary schools, both chief and affiliated, within his parish; but the term *inspector* implies much more than is meant by it in England, including superintendence as well as visitation. Besides this, the school, or school union, if the parish contain affiliated schools, is managed by a board of managers (*schulvorstand*). The composition of this board varies in different provinces, but in all the clergyman of the parish is a member; in most he is chairman. In cases where, as in the province of Prussia, the chairmanship of the board is reserved for the patron of the school, yet as the patron, probably a great landed proprietor, is never present, the clergyman takes his place. Practically, in country places in many of the provinces, Pomerania, Silesia, &c., the other members of the board of management either never attend its meetings, or, if they do, only meet to sanction what the pastor proposes. In towns the local authority is exercised in a more efficient way by a body called *schuldeputation*. The competencies of these authorities respectively will be given in detail presently.

The immediate ecclesiastical superior of the parish clergyman is the *superintendent*, and he is also *ex officio* inspector of the schools in his district. When the superintendent acts in this capacity, he is styled *kreisschulinspector*, or simply *schulinspector* (*schulpfleger*), the pastor having the title of *lokalschulinspector*. The superintendent visits a third part of his district every year, and includes in his visitation the parish schools. The real authority of the superintendent has varied at different times, though his paper attributes have remained the same. At one time the office had fallen into such contempt that it was difficult to find a clergyman willing to take it; but of late years serious attempts have been made to restore its dignity, and to invest these visitations with importance. For the last ten years these have been made with great ceremony. A service is held in church, and a sermon preached, at which masters and children are required to attend; but the real inspection of the school takes place at the annual examination, which the superintendent in his character of inspector is present at, but does not conduct.

Ecclesiastically, the authority next over the superintendent is the *general-superintendent*, or bishop, as perhaps he may be called. This grade is not wanting in Prussia; but these officers have no real authority, and are only an anomalous and recent (1828) introduction into the system. *General-superintendent* is little more than a title of honour, or at most he takes the place of president of the provincial consistory. The consistory is the authority next above the superintendent, and to which he is ecclesiastically responsible; but in school affairs this is not the case. The provincial consistory has only the superintendence of the training schools, which are under its immediate charge, and with which the superintendent has nothing to do. But the elementary schools and schoolmasters are not, at least immediately, under the control of the consistory, but under that of a civil officer.

The District Inspector.—A circle or diocese (*kreis*, *ephorie*) is of variable size and population. It may contain only six or eight, or as many as forty or more parishes. The civil officer who administers it is styled *landrath* (*kreisirath*). The ecclesiastical officer is called *superintendent* (*dekan*, *ephorus*). For the supervision of the elementary schools in the district, the superintendent is the organ of the departmental government. One portion of the duties thus incumbent on him he discharges in conjunction with the *landrath*; the other, and more important portion, alone. A distinction well-defined and understood in all departments of the public service, is made between "interior" and "exterior" affairs. They are the exterior affairs of the schools which the superintendent and the civil officer transact or revise in conjunction. These are such as passing school accounts after they have been previously audited by the school board, visitation of the school premises, verification of the inventory, control of estates or other endowment funds, granting leases of ditto, adjustment of the school-rate, conduct of disciplinary proceedings against any teacher who has misconducted himself, enforcement of attendance at school, preparation of statistical returns of education in the district. The *landrath* alone is responsible for keeping the register, which also is preserved with the archives of the circle. The internal affairs of the school, all that concerns its teaching and discipline, are controlled by the superintendent alone, acting as school inspector. The term inspector, as already explained, does not imply that he only visits and reports. In most countries he is considered as specially

charged with the conduct of the teaching and discipline in his schools. In Prussia, this portion of the superintendent's duty, though it had never ceased to attach to him, appears to have been little attended to till of late years. It had come to be considered that the superintendent should only concern himself with the religious instruction. Hence the *schulrath* has, in most parts of Prussia, come into possession of much of the authority which in other States, Saxony, Hanover, &c., has been always and is still exercised by the superintendent. In Saxony the superintendent takes a more active part. Here, besides his regular visitation, he is in the habit of making unexpected visits, and sitting by while the regular lesson is given. He has at all times the power of ordering any alterations he may think fit in the lesson-plan, in the arrangement of the classes, or any other part of the discipline of the school. Nor does he act only on occasion of inspection, but all matters which the local inspector cannot decide are brought to him. Being visitor at once of the clergy and the schoolmasters, he inquires into the mode in which the parish pastor fulfils the duties of local inspector, his diligence in visiting, and the relations existing between him and the masters of his school. He is to encourage and assist the masters and teachers in their endeavours to improve themselves, and especially to preside in the conferences held in the district for this purpose. He is to provide for the duties of a school during vacancy, to receive applications from candidates for the place, to give leave of absence to the master for lengthened periods, to give dispensations to children who have special grounds of inability to attend school, to give permission to use the school buildings for other purposes, &c., &c. He seldom receives any salary as inspector, the duty being regarded as an integral part of his ecclesiastical functions. He has, however, an allowance for his extraordinary expenses, and in some countries receives a small sum as compensation for any extraordinary expenses he may incur. These powers are checked, on the other hand, in various ways. The teacher has an appeal against any order of the superintendent in which he may consider he is exceeding his competency. The superintendent can only act conformably to the regulations established in the department, and in Prussia these are now exceedingly particular and minute. In Saxony he can only report in the mode of filling up a lithographed form, which allows no scope for confidential observations. Lastly, his inspection is counterchecked by that of the departmental councillor, as well as by the occasional revision of the seminary director, which either alternate with his visits or are in addition to them.

The superintendent makes his report annually to the government of the department. In Saxony this report is in a tabular form, and the statistics of the school are incorporated with those of the church. Besides the tables, and a short chronological notice of occurrences in the school during the year, it contains nothing. A superintendent's report in Prussia is more verbose, and contains the views and judgments of the reporter. The following directions for preparing a report, prescribed by a Westphalian department to its district inspectors, may convey some notion of its form. "Lengthiness should be avoided as much as incompleteness. The report should be modelled on the plan of a well-arranged oral statement. Its integral parts should be: 1st, statement of facts, without any subjective colouring, in a compressed style and good arrangement, keeping each topic separate, and subjoining your authority; appendices ought only to be added when necessary, and in illustration, not in place of your own statement:

2nd, a professional opinion on any case requiring it, supported by grounds, and referring to the law, the facts, the local and personal circumstances involved: 3rd, a definite suggestion. In the form of your report you will observe the following directions: 1st, it must be written on the right side of a sheet of paper, so as to leave half the page blank, in a clear and legible hand, without any abbreviations: 2nd, the date and place to be superscribed on the left side; underneath the date must be noted the contents of the report, and in case your report has been called for by a special commission, add the date, office, number, and letter of that commission: 3rd, each separate object must have a separate report to itself: 4th, when a report extends to several sheets, these must be properly stitched together: 6th, the time allowed for the preparation of a report to be reckoned from the day on which you receive the commission; the report must be sent in within this time, or the causes of the delay specified upon it: 7th, the report must be made to that department which issued the commission, or within whose competency the affair lies."

The Local Inspector.—The powers which the superintendent possesses over the schools in the diocese are exercised by the pastor of each parish over the schools in his parish. Every single school, or school union (*schulverband*), has its own board of managers; but everywhere, without exception, the pastor is a member of it. The same distinction as before being made between the external and internal affairs of the school, the *pfarrer*, in his capacity of inspector, transacts the latter alone; the former require to be brought before the board of managers (*schulvorstand*). He is required to visit the schools, not merely on stated occasions, or at the time of examination, but diligently; in Saxony, at least once a week; nor is he there only to see and report; he is to consider himself charged with the welfare of the school, to assist and support the master, to acquaint himself with the individual children, to watch their progress, and to form a medium between the master and the parents. As local inspector his principal duties are to watch the school attendance, to see that the list of absences is correctly kept, to report them to the superintendent, to endeavour to work upon the parents by moral means to send their children regularly, to see to the keeping of the master's book (*schultagebuch, schuldarium, stoffbuch, &c.*), to arrange the lesson-list in concert with the master, to preside in the conferences periodically held of the teachers in his school-union, and to endeavour to give a tone to their debates. In some cases the *pfarrer* fixes the length and the time of the holidays, and can give the master leave of absence for a period of two or three days, but not for longer. Whenever provision is made for separate religious instruction of children of different denominations, the pastor must see that this is properly carried out. He is also the organ through whom the superior authority communicates with the board of managers. The superintendent has to see that the *pfarrer* attends to the school. In some countries he is made to register his own attendance. A book is kept in the school, in which, whenever he visits, the *pfarrer* enters the date of the visit, specifying whether morning or afternoon school, the number of children present, with what lessons they were occupied, what means he took of judging of the progress of the children, and testing the efficiency of the master; any remarks he judged it necessary to make to the master; anything he observed in the deportment and behaviour of the children. This book is sent in annually to the department, and forms thus a mode of controlling the

diligence of the *pfarrer*, though its ostensible purpose is a report on the school.

Funds for the Support of the School.—In nearly every country there are endowment funds of more or less amount applicable to school purposes. These arise partly from charitable bequests in later times, but mainly from the secularised church property, in the application of the revenues derived from which education has from the first held a principal place. In some countries, however, the objects to which these sequestrated monastic lands are applied are so wide, that though the revenue may be large, the schools obtain but a small share. In all cases this species of property is in the hands of the central Government, even where, as in Brunswick, its accounts are separately kept, and managed by a special department. Even the revenues of the charitable bequests have for the most part come into the hands of the Government, which is not only the best and most economical administrator, but makes very large grants in aid to meet either the original bequest, or the subsequent conveyance of it. In this way the celebrated Francke Foundation at Halle is now a Government institution, the Government meeting the 20,000 thlrs., which the original foundation produces, with a nearly equal sum. Of such charitable bequests Government is merely the administrator, and they are, therefore, locally expended. Of the monastic sequestrations it is considered as assignee, and they are treated as general revenue, only divided in fixed proportions between Catholic and Protestant objects. In the Prussian revenue sheet for the year 1859 the total amount of income derived from foundations figures for—326,000 thlrs. applicable to educational purposes only; 154,000 applicable to public worship and education. These sums are met on the part of the central Government by grants of 59,400 thlrs., and 94,100 thlrs., respectively, applied exclusively to the local purposes of these charities. But this statement does not distinguish in what proportions the total amount is derived from church lands or recent charitable bequests, nor in what proportions it is applied to Catholic or Protestant objects. In the kingdom of Würtemberg the crown, by an arbitrary act, annexed to its own domain the whole of the church and school property throughout the kingdom, but the sums now paid out of revenue for church and school purposes far exceed the income so derived.

Of such local and special endowment funds the share applicable to the elementary school is naturally small. It may therefore be said that nearly the whole cost of the immense amount of elementary education required is defrayed out of the annual income of the community. It is obtained from three sources:—1. The school-fees (*schulgeld*) paid by the children. 2. A local rate. 3. The general taxation of the country. Of these three sources, it is the second which bears nearly the whole weight of the burden. For as to the first and third source, the principles almost universally recognized are, that the children are only to pay what they can, and that the general budget is only to come in after the strictest proof of incapacity on the part of the locality. It is not at the option of a *commune* whether it will have and maintain a school or no or what number of masters it shall have in its school. Every *commune* is bound to find school-room and teaching for all the children of school age who belong to it.

These are general principles, which hold almost universally for Germany. The mode of assessing the local rate varies in different countries. The following is the practice existing in the kingdom of Saxony. Each *commune* is empowered to fix its own *cataster*, or rating-book, in which every family

forming part of the *commune* is rated at so much. The principle by which it must be guided in laying this assessment is the consideration of how much the parents can afford to pay; *not* how much is required to cover the cost of the school. The law only fixes a minimum of one groschen per week, and a maximum of fifteen dollars a year. These sums so assessed are the school-fees. They are collected by the school board which applies them as far as they go to the maintenance of the school. For the remaining part of the outlay on the school not covered by the fees, the board must apply to the *commune*. Each *commune* has four funds or purses, which ought to be kept separate, but often are not: the church-fund, the school-fund, the poor-fund, and the town-fund. Into the school-fund flow some small revenues, such as the fines for non-attendance, the collection in church on one Sunday set apart for the purpose, and certain surpluses from what is called the church treasury (not the church fund), altogether of small amount. The remainder of the outlay on the school has to be met by a rate levied on the *commune* by itself. This rate is assessed in the following way:—First a capitation-tax is levied on every male member of the *commune*, poor and rich alike; then all the remainder required which is not met by the above sources is raised by a rate on property. This rate is levied in the same method as all the other rates; church rate, poor rate, &c.; that of tax units (*steuerinheiten*). It is a rate according to valuation, but the valuation is very loose. The general taxation of the country is never employed in aid of the parish school, except in those extreme cases in which the *commune* can plead poverty, and where there are no endowment funds out of which it can receive succour. The amount of such charitable endowments in the hereditary dominions of the Saxon crown is insignificant. Only in Upper Lusatia is there a foundation called the *Nostiz Weichsdorf*, the income of which, *cir.* 8,000 dollars, is applied chiefly to school purposes. In cases where the *commune* applies for Government aid, it must make a statement of its means, in the method just described to the inspector (*respect.* the patron), who examines it, and if he finds it valid, transmits it to the departmental Government (*kreisdirection*), by whom it is forwarded to the minister of instruction. Here the statement is tested, and if it is found that disability is made out on the part of the *commune*, the deficiency is made up by a grant out of the State funds. The small sum of 20,000 dollars is the whole amount annually voted in the budget for such allowances to poor parishes. (Kingdom of Saxony; square miles 271; pop. (1855) 2,039,176.)

In Prussia, when a *commune* pleads poverty, the *landrath* has to scrutinize its budget, in order to see that nothing is charged upon it preferentially, the school ranking with the first claims on the local purse. In Baden, government grants towards current expenses can only be made when the necessary rate would otherwise exceed a certain fixed poundage. In Saxony as will have been observed, the principle of the rate is a combination of a personal and a property tax. In other countries it is purely a personal tax; so much a family in Würtemberg; so much a head in Brunswick. In Prussia, the mode of assessment varies with the usage of every district; often of every manor. Where there is no special usage, they rate on the principle of the state tax called the *classensteuer*. The principle of local rate was, I believe, first introduced into Prussia by the code of 1794 (*Allegemeines Landrecht*, th. ii. tit. 12. s. 29). "Where there are no endowments for the support of the common schools, there the maintenance

of the teacher falls upon the collective householders, without distinction of religion. The contributions requisite for this purpose, whether they be paid in money or kind, must be equitably divided among the householders in the proportion of their property and holdings." From the Prussian code this has gradually passed into the law of other countries.

As the *commune* might endeavour to make the burden easier to itself by underpaying the teacher, provision is made against this in many countries, by fixing a minimum of salary, which varies with population and years of service. In Prussia, the power of fixing in each instance the amount of teacher's stipend rests with the departmental Government. The poor pay of the schoolmaster had been long an acknowledged evil, and something, though little, had been done to correct it in the 20 years preceding 1848. In the revolutionary period, this, like other grievances, made itself loudly heard; and by a Cabinet rescript, 6th March, 1852, each Government is directed to review in detail the masters' stipends in its department, and to raise them permanently to such sum as it shall consider sufficient. The principle to guide it in doing this is to be the usage of the district, and the requirements of living in it. The mention of any normal sum was particularly avoided. This method possesses obvious advantages over the legislative enactment of a minimum in a kingdom like Prussia, composed of countries so various in wealth, in style, and cost of living, that what is a handsome income in one is a bare subsistence in another. It may, however, be questioned if this advantage be not dearly purchased by such an inroad of the executive upon the right of self-taxation as is made by this Cabinet rescript. What makes it more arbitrary is, that it had been already ruled that the decision of the departmental Government was without appeal, and therefore a *commune* which may consider itself over-rated has no legal remedy. A discretion was further allowed, by the rescript, to the several Governments, of giving priority to "faithful conduct in office;" a phrase which, it has been alleged, has received a political interpretation.

The Local Boards.—In Prussia, and in other States which have copied from her, each school has its own board of management (*schulvorstand*). These boards are variously constituted, but the principle generally recognized is, that, 1, the patrons (if any); 2, the parochial clergy; 3, the municipal authorities; 4, the householders, should all be represented in them. In some of the smaller States the Government has simply assumed to itself the nomination of the elective members. In most Prussian provinces the householders choose their own representative into the school board; but various curtailments of this freedom of election have been made of late years, *e. g.*, the regulations issued 15th October, 1858, for the department of Marienwerder in East Prussia, which contain the most recent legislation on the subject of the school-board, provide that the *landrath* of the circle may, in his discretion, refuse to confirm the election of any representative so chosen by the householders, and for this refusal he is not obliged to assign any grounds. The householders must then proceed to the election of another person in the place of the person so set aside; and should the *landrath* see reason to reject their presentee a second time, the *commune* loses the right of election for that time, and the place is filled up by the *landrath*. Further, should any member of the board not discharge his functions satisfactorily to the *landrath*, that officer may declare his place vacant, and require the *commune* to proceed to a new election. This is, in fact, to take away the election from the *commune*, and to make it a nomina-

tion by the *landrath*. A still more arbitrary provision in these regulations is that by which the chairman is empowered to suspend any resolution regularly passed by a majority of the board to which he may himself object, provided that within eight days he lays his objection before the *landrath*, or the district inspector, who then decides upon its validity. Such provisions, wherever they are introduced, annihilate the local board as an independent body of managers, and its continued existence becomes merely a mockery of self-administration. It may almost be thought superfluous to detail the functions of a body so constituted. They are as follow: The board is expected to meet, once a quarter, in the school-house, on a day to be fixed by the chairman. These are its ordinary sittings. The chairman may call it together at other times, if necessary. Its competency extends only to the "external" affairs of the school. On the "internal" it may advise the local inspector, but it has no voice. The most important part of the external affairs is the revenue and expenditure of the school, for the administration of which the board is responsible immediately to the *landrath*. The board are trustees of the school buildings, of all land or monies belonging to the school, master's residence, &c. They have to see that the hours of schooling are strictly kept to, that no more than the regular holidays are taken, and they are to employ their moral influence with the parents to secure punctuality of attendance. Dispensations from attendance for periods longer than one week must be applied for to the board. The members of the board are expected to be present at all examinations and other public solemnities of the school. They receive no remuneration, and are obliged to serve for six years. The schoolmaster is in many countries (not in Prussia) allowed to be present at the meetings of the board, but has no vote. In Brunswick the consistory may, if it pleases, confer the right of voting on any master.

Compulsory School Attendance.—Compulsory school attendance is the corner stone of the system of primary education throughout Germany. It is all but universal, though the mode of enforcing it may be variable. In every State of Germany, with the exception, I believe, of Hamburg and Frankfort-on-the-Maine, all the children of both sexes between certain ages are required to be at school.

In this legislation we must distinguish two degrees, which are often confounded, but are really widely apart. 1. Where the law requires that the education of the children shall be properly cared for, but leaves the parents the choice of the method, they may send them to what school they please, or may employ a private teacher at home. This was the law in Prussia till 1857, and is still so in many States. 2. Where the parents are restrained from sending their children to any other school than that for which they are registered. The first regulation (1) is viewed as a necessary protection for the child's interests; the second (2) is a measure of police for facilitating the control of the school attendance. The first is often called colloquially, *schulzwang*, but the term in its legal and correct sense is used to denote the second (2) only. In this, its proper sense *schulzwang*, is the law of Saxony, Württemberg, Bavaria, Baden, and some other States. In 1857 it was introduced into Prussia, and in the spirit of that period the power of granting dispensations was vested in the *landrath*. It is complained of, among other things, for the invidious distinction created in administering it between poor and rich; no attempts being made to enforce it in the case of the latter. Where a dispensation is obtained from attending the district

school, parents must state the motives of the application, and the school to which they propose to remove the child, and in some cases continue to pay the school fees or a part of them.

The usage of the several countries varies but little as to school age. The Prussian code fixed the completion of the child's fifth year as the period when its attendance should begin, and in the Saxon province it is customary to go at that age. In other provinces attendance is not compelled till the end of the sixth, though allowed at the end of the fifth; a distinction which is marked by the words *schulpflichtig* and *schulfähig*. Generally no use is made of the permission, as the schools are mostly already over-filled. The masters are not favourable to children beginning to learn too young, and experience and physiology condemn it. The new Würtemberg law of 6th Nov., 1858, has removed its term from *æt. six* to *æt. seven*, and the new Saxon law from *æt. five* to *æt. six*; and it might not be impossible that the practice of Hamburg, where the children begin at *æt. eight*, would be more generally followed, were it not that there is another tendency, viz., the claims of labour, making itself felt, and pushing in the opposite direction, to get the school age to begin earlier, in order that it may end the sooner. The duration of the period of school attendance is in most countries eight years; in some parts of Prussia usage extends it to nine; in the new Saxe-Coburg law of 15th June, 1858, it is reduced to less than seven years. It is much less by law than by the manners of the people that school time is universally terminated by confirmation (*einsegnung*); a rite which, with its accompanying first communion, obtains in the Lutheran population the same social importance as in the Roman Catholic.

It is not enough to bring the children to school, or to enter their names in the school register, unless their regular attendance is also secured. This point is accordingly guarded in the German system with as much vigilance as the former. To take a single province of Prussia, Silesia, *e. g.*, it is the duty of the pastor and the schoolmaster to use all their moral influence with the parents to make the children come punctually and regularly. But this moral persuasion can be enforced, if need be, by an appeal to the police. The police office of the place makes out the list of the children as they arrive at the school age. This list is put into the hands of the school-board, which from that moment becomes responsible for the attendance of all whose names are inscribed in that register. The master keeps the book of absences, marking them as "excused" or "inexcused;" and it is one of the duties of the school-board in its periodical meetings to watch this book. The board, through the inspector or some other of its members, admonishes the parent or guardian. If the offence be repeated, they send in the offender's name to the police office, and he is mulcted in a small fine for each day of the child's absence. In case of nonpayment he is sent to gaol for a period corresponding to the amount of the fine. In some towns a messenger is attached to the school, and at the end of the first hour the master marks off the absent names, and despatches the messenger round to the houses, to inquire the cause of absence, which is duly entered in the book. In Berlin the control of attendance is undertaken by the school delegacy, which employs as its organ for this purpose bodies called by the name *schulcommission*. Former arrangements for securing attendance having been found insufficient, this new system was organized in 1845. Berlin was divided for this purpose into thirty-five districts, or rather the division already existing for the purpose of the poor's commission was

adopted. In each of these districts a *schulcommission* was appointed. This body consists of a chairman, vice-chairman, and a number of members, varying with the populations of their district from six to ten. The members are elected for three years by the common council, and confirmed by the *magistrat*. It is usual to ask the lay members of the school-boards to serve as members of the school commission of the district in which their school is situated. As the office is an unpaid one, and the duty thankless, the city has great difficulty in getting any one to serve. The commission meets once a month on a fixed day, three members forming a quorum. Its proceedings are minuted, and the minutes may be called for by the school delegacy. It has but one business, that of controlling the school lists and school attendance. For this purpose it employs as its organ the royal police, in the same way as the school-board in a country town employs the town police. The police commissary of the district (*Bezirk*) sends in to the commission the lists of the *schulpflichtig* children. The members of the commission are expected individually to visit the parents, to urge upon them the moral obligation of seeing that their children attend regularly. Only when this private influence is ineffectual, an official admonition is given to the parent or guardian. If within a month from this monition a second "inexcused" absence occurs, a written notice issues from the commission, reminding the defaulting party that he makes himself liable to a penalty. This notice is registered. If a third "inexcused" absence occurs within a month, the commission sends notice to the school delegacy, adding from the record a copy of the previous notice. This notice is handed to another committee of the school delegacy, which is charged with the enforcement of the fines. This committee inquires into the case, assesses the fine, and orders payment within eight days. It is open to the condemned party to appeal during these eight days to the *magistrat*. The sentence of the *magistrat* is final. The fine may be levied by execution. If there are no effects, the offender is punished by imprisonment.

The commissioner then passed from the regulations, which exist for the purpose of compelling attendance at school, to the mode in which they are carried out and the results attained. Though the law everywhere alike requires attendance, it is very unequally enforced in different countries and in different parts of the same country. It is well and uniformly carried into effect in Prussia, for it is a general feature of the administration of that country that nothing is law which is not actually in force. Some of the more stringent provisions of the factory law are said to have been evaded at one time, but this was soon corrected, and it is now enforced to the letter. The following are the returns of children in the elementary schools for the whole of Prussia for the year 1856, the latest published:—

The number of children of school age was 2,943,251; the number of children in the public elementary schools was 2,758,472; and the number of schools was 24,292.

If we add the number of children attending licensed private elementary schools, 70,220, we obtain as the total number of children in the elementary schools, 2,828,692. Total number of children of school age, 2,943,251; total number attending elementary schools, public and private, 2,828,692; difference, 114,559. From this remainder of 114,559 we must deduct all the children receiving private instruction at home, all the boys in the junior classes of the grammar and real schools, children sickly, deficient, or in

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other ways incapacitated from attending school, and the residuum would be the number of those who by migratory habits, or in whatever other way, escape even having their names on any school register. The number or the nature of this residuum I had no means of determining. A part of them would, perhaps, be found among the Lithuanian populations towards the north-east, who are continually crossing and re-crossing the frontier, or sending their children, before they had arrived at the age of 14, into Poland, to be surreptitiously confirmed, and to return with a confirmation ticket which enabled them to be taken into service at once. There are also a number of itinerating families, whose children would be included in the census, but whom it would be impossible to confine to any school. The children of the true gipsies, on the other hand, are often regular attendants, and distinguish themselves by their industry, quickness, and good manners.

The above figures only represent the number of children entered on the school books, and convey no idea of the regularity with which they attend. All who have to do with the elementary schools, however, agree that here is their great difficulty. Where there is neither resistance to the law nor desire to evade it, there is a want of resolution to make the attendance uniform and punctual. Districts vary very greatly in this respect. The commissioners saw schools in which the absence book disclosed a most lax state of attendance, where the absences had increased to such a head that the master had ceased to register them.

Voluntary Efforts.—The whole of the elementary school system in Germany is, as we have seen, organized and conducted by the central authority in the several States. On the skirts of this immense organization, room is left for voluntary effort in various directions, which I can but briefly indicate. 1. Private schools.—It is open to any one (in Prussia) to found a private school who can obtain a licence (*concession*) for the purpose from the Government. But he can only employ in it teachers who have passed the two regular examinations required of teachers in a public school of the same class, i.e., whether higher, middle, or elementary. If in a city, he must further prove that the district in which he proposes to open a school is insufficiently provided with schools. When he has obtained his licence, his school is not his own domain, within which he may try experiments in education. He is not only subject at all times to the inspection of the *schulrath*, but he is strictly bound to follow the rules and regulations issued by the school delegacy, *resp.* by the school council, for the behoof of private schools. The proprietor of such a private school is at liberty to fix his school fee at any amount he may think fit. He is required to draw up a table of fees and charges, specifying the amount charged in each class, entrance money, extras, &c. He must give in a printed copy of this tariff to the school board, and also to the parent or guardian of each child who may be placed at the school. He is at liberty to make a separate agreement with any parent or guardian to take less than the tariff price, but on the express condition that such reduced charge shall not curtail the quantity or quality of the instruction to be given to the child. These private schools play an important part in Berlin; nearly half the children in elementary schools being educated in them. As the corporation have not as yet accommodation in the public schools for more than 12,000 or 13,000, they therefore pay the proprietors of the private schools so much per head for every child in their schools. In the whole kingdom there are 3,600 teachers, male and female, in these private schools, by the side of the 33,000 masters

and mistresses in the public elementary schools. In these private schools may perhaps be reckoned the so-called parochial schools. This term is used to denote chiefly such schools as are in connection with certain Protestant congregations which have been long in existence, and which, though not connected with the Established Church, are not dissenting bodies, *e.g.*, the Bohemian, Moravian, and French Calvinist congregations. There are also a few other schools of old foundation, attached to parish churches in some cities, which, having small fixed sources of income, have been left in their original position, *e.g.*, the schools attached to the Cloister Church, to Trinity Church, and to the Cathedral in Berlin. But in respect of inspection, the certificates of teachers, and the matters to be taught, these schools are under the same regulations as the public elementary schools.

2. More independent of the control of the regular school organization are the schools for "further improvement" which exist in most large towns. Two classes of institutions offer the means of improvement to young men apprenticed to trades, &c., who have left the elementary school, and been confirmed. Such young persons are either, 1. Those who have learnt imperfectly what has been taught at school, or, 2. Those who, having profited by their schooling, wish to carry their education beyond the point where the elementary school left them.

For the first are designed the Sunday schools. These schools are held in the schoolrooms of various city schools. Instruction is given from 2—5 P.M. in reading, writing, and arithmetic only. It is of the same grade as that given in the upper classes of an elementary school. In Berlin, every apprentice, at the time of his being apprenticed, is examined by the guild of the trade to which he is destined. If he can read, write, and cipher competently, he receives a certificate to that effect. If not, he must attend the Sunday afternoon school till he is able to do so.

For the second are designed the *improvement institutes* (*Fortbildungsanstalten*). In Würtemberg formerly attendance for two years at these schools was compulsory; but that requirement exists no longer. In Prussia it has always been voluntary. These schools are held either on Sundays or evenings in the week, and taught by masters in elementary or real schools, who receive a small fee from the pupils, which is augmented by a grant from the municipality. No applicant is admitted before confirmation (æt. 14), or a certificate that he is competently taught, so far as the elementary school can carry him. If an apprentice, he must also produce the permission, in writing, of his master, and the master, in that case, becomes responsible for the regularity of the pupil's attendance. There is no limit as to age; and where the instruction is given by competent masters, it is not uncommon to see men of thirty, or even more, present in the classes, and taking their turn with the younger pupils. Sometimes a teacher in an elementary school will take the opportunity thus afforded him of learning French, English, drawing, &c. The subjects in which instruction is given in the three *Fortbildungsanstalten* in Berlin are, writing, arithmetic, commercial practice, book-keeping, letter-writing, mechanics, chemistry, German reading and literature, French, English, drawing, and designing, &c. These subjects are arranged in five or six courses. Each pupil is at liberty to choose which courses he will attend; but no pupil is allowed to enter a higher class till he has gone through the elementary class in the same subject, and has shown that he possesses the competent knowledge. For the first four semesters, he is obliged to attend not less than four

different courses. After that he may attend only so many as he pleases. When the institute is held on the Sunday, the pupils assemble for public worship in the building, and have a short service, which occupies half an hour. For the present organization of these schools in Berlin the city is indebted to the energy of the present *Schulrath* Schulze. They are as yet in their infancy there, and have many difficulties to contend with; chiefly this: that they deprive both pupil and teacher of their only holiday in the week. The following figures are taken from the last report of the improvement institutes in Berlin for the period from Easter, 1858, to Easter, 1859:—

In the summer half year the attendance of students at the three institutes was 1,149; in the winter half year 1,249. Of these, six were masters, 1,155 journeymen, 722 apprentices, 198 mechanics, 132 merchants and tradesmen's clerk, 32 schoolmasters and Government employés; 377 were between 14–16 years of age, 623 between 17–20, 152 between 21–24, 71 between 25–30, 22 between 31–40, and 4 above 40. The total cost to the city, besides the use of rooms, was 4,000 thalers.

3. Infant schools, more properly called *kleinkinderbewahranstalten* (for it is a principle that no lessons should be given in them, æt. 6 or 7 being thought quite early enough to commence instruction), are now rapidly multiplying in all large towns, supported by private benevolence. Instead of competing with the public schools, charitable effort is here usefully employed in supplementing them. The elder children being engaged great part of the day in the school, and both parents in field labour, often at great distances, houses are opened for the reception of the infants under school age. The parents can deposit them in them in the morning, and call for them again as they return from work. The infants are fed, cared for, and kept amused by singing, dancing, and organized games under the care of a matron, or of benevolent ladies who from love for children are found willing to devote their time to this service. Fröbel's play-gardens, on a more methodical plan, are for a class above the very poor (*kinder-garten*). Of these there are only about 50 or 60 in Germany. They were prohibited by the late Government of Prussia on grounds of political suspicion.

4. Farm and reformatory schools, redemption institutes for morally endangered or criminal children, only occur for mention here as being entirely promoted by private benevolence.

Report on Educational Charities.

M. PATRICK CUMIN reported also on educational charities. The whole number of charities reported upon by the late commissioners amounted to 28,840, having a collective annual income of 1,209,395*l*. According to an estimate made by an Edinburgh reviewer adopted by Sir J. K. Shuttleworth, the value of all the property real and personal devoted to charity amounted in 1846 to a sum not less than 75 or 100 millions. Of these charities some are educational some not. Of educational charities there are three sorts. There are schools in which children are taught, clothed, and lodged; in others the children are clothed and taught, but not lodged; in others they are merely taught, and the latter are classical and non-classical. After a survey of the various charities for education and other objects Mr. Cumin concluded his report as follows:—

Having proceeded thus far, I pause for a moment to sum up my results.

With respect to charities directly founded for purposes of education, I have endeavoured to show that many of them are not so useful as they might be, and I have attempted to point out the causes of those deficiencies and to suggest a remedy. With respect to those not directly founded for educational purposes, I have endeavoured to prove that whilst all of them were established for the benefit of the deserving poor, they are in some cases bestowed upon unworthy objects, in other cases left idly to accumulate, and in others positively misapplied. It seems clear, therefore, that as to the former, the existing area should be extended, and that as to the latter, a new area should be created.

I assume that the class of persons for whom charities are intended is confined to those who are just above the rank of paupers—the class maintained by the State—and yet have not sufficient means to supply themselves with those physical comforts and that mental cultivation which the charities may enable them to obtain. Charity is well bestowed which enables a respectable man or woman broken down by age or misfortune to keep clear of the rates—charity is ill bestowed which encourages people to live by idleness and importunity instead of by industry and prudence. Charity is well bestowed which assists parents to educate their children so as to fit them to earn a living or to serve the State—charity is ill bestowed in maintaining and educating the children of parents who are quite competent to maintain and educate the children themselves. The early history of the Foundling Hospital shows the danger of too easily releasing parents from the natural obligation of caring for their offspring. Even orphans are not all fit objects of charity.

Acting upon these principles, the question is, what changes are required in order to render the charitable funds as extensively useful as possible. In order to produce this result several things are required. As to educational charities,—(1.) Except in a few special cases the parents or relations should supply the children with clothing, and should contribute something towards their education. Even although the boarding should be retained, the number of children under education would be greatly increased. (2.) Facilities should be afforded for combining the smaller endowments. (3.) The area within which money devoted to education is now applied should be extended, and, if necessary, changed. Endowments, instead of being either allowed to accumulate or employed to aid classes in the education of their children who need it not, should be bestowed upon neighbouring districts which stand greatly in need of it. And, considering the enormous and increasing demands on the parliamentary fund, this change is especially needed. (4.) The masters should be thoroughly competent to discharge their duties, and for this purpose some system of inspection and examination should be organized. (5.) Following the precedent set by the public schools, such as Eton, Westminster, and Winchester, the pupils should be admitted upon the foundation, not by patronage, but by open competition. Whilst no children except those who were really desirous of improvement would obtain admission, the contest would indirectly stimulate education down to the lowest ranks. It would be necessary, still following the precedent set by the public schools and the university, to abolish all restrictions with respect to place of birth and kindred. The clothing if retained, should be the prize of competition. The experiment has been tried in some cases, and has succeeded. Treated in this way the clothing may be made the nucleus of a large day-school. As at the University, the clothed boys are “scholars,”

the others "commoners." (6.) The sort of education supplied in endowed schools should be of a kind to suit the requirements of those for whom the endowment was created. Where the master is required to be a graduate of the university by the founder, the trustees, with the consent of the charity commissioners, should be enabled to appoint a master holding a certificate from the committee of council if the annual funds do not exceed 150*l.*, such master not to be of necessity in holy orders. As to those charities not originally founded for education, such as funds for the poor, for loans, for apprenticeship fees, and for almshouses, there seems no reason why they should not be made to contribute to education. All of them were intended for the benefit of the poor, and the question is whether that object can be better promoted than by aiding education. (7.) With respect to the funds dedicated to the poor, it is abundantly clear that, generally speaking, the administration is so imperfect, and the distribution so careless, as rather to degrade than relieve the recipients. As for persons broken down by age or illness, yet struggling to keep off the rate, these ought certainly to share in these charities. But, excepting such cases, no one with children should be allowed a farthing unless they show their respect for themselves and the community by sending their children to school. (8.) If it be true that the sums devoted to loans and apprenticeship fees are generally useless, there seems no reason why they should not be devoted to education, which, besides being a charity the least liable to abuse, would greatly relieve the general taxation of the country. With respect to apprenticeship fees there is a special reason for such an application. Without education an apprentice cannot take advantage of his master's instructions, whilst with a good education the apprenticeship fee is superfluous. (9.) The remarks which I have ventured to make upon almshouses is rather to illustrate the waste of money and the abuses to which such institutions give rise, where the proper distribution of charity is not guarded by self-interest. But even in the case of almshouses, if it should appear that by the abolition of sinecures and a mode of administration at once more economical and more agreeable to the poor themselves, a considerable sum might be saved, there seems no reason why the surplus should not be applied to aid the poor in educating their children and in diminishing the parliamentary grant.

2. But even if additional funds were obtained by an improved and more economical administration, some general system of applying them would still be required. With respect to those applicable to education, with which I am particularly concerned, there seems to exist at present no general idea as to the machinery which ought to be employed for educating the people, or as to the part which endowments ought to fill in the general design. Now it appears to me that every child in this country ought to have the means of acquiring the rudiments of education, and those who, however humble, exhibit remarkable genius for intellectual pursuits, should have the means afforded them of gratifying their natural bent. To aid as far as possible in this great design should be the chief object of charitable endowments. This surely was the intention of those who originally founded the thousands of schools throughout the country. They desired to reward those who displayed industry and intelligence by enabling them to indulge in their favourite pursuits, and at the same time they desired to glorify the commonwealth, by civilizing the masses and recruiting the learned professions and the public service from the ablest men of every rank. This design has at present been sadly disregarded, but I see no reason to doubt that it

might even now be realized. Only apply the same liberal principles to all charitable endowments which have lately been applied to the public schools, to the universities, and to many departments of the public service—allow the same scope to merit among the lower classes which is now allowed to the upper classes, and the same results must follow. Do this and, besides strengthening that spirit of independence and self-reliance which is the only antidote to the spirit of indolence and pauperism, the cause of education will not only be promoted, but the claims on the public purse will be greatly curtailed.

3. (1.) There ought to be four classes of schools:—*a.* Schools for infants, boys and girls; *b.* Superior day schools; *c.* Evening schools; *d.* Schools for the middle classes and the cleverest boys in the superior day schools. (2.) To this first or local school (*a*) any boy or girl should be admitted on payment of the weekly pence. The very poorest might be excused. (3.) To the superior schools (*b*) none would be admitted except those who could read, write, and cipher according to a fixed standard; every scholar would pay except those who were very poor. This school would contain those who were willing to remain somewhat longer than usual under tuition. As the withdrawal of children from school at too early an age is the great difficulty to meet, it is proposed that to this sort of school should be attached certain exhibitions of 5*l.* or 10*l.* a year, which should be bestowed on the best scholars. The candidates would be required to be of a certain age and to have attended school a certain time in order to entitle themselves to these prizes. The money for such exhibition might be derived out of those funds for apprenticeship loans and doles, which have been proved to be either useless or demoralizing. (4.) To the upper schools (*d*) would be admitted the sons of the middle classes upon payment of a reasonable fee, eight or ten guineas a year, and such of the boys from the superior schools (*b*) as might prove themselves the best in an examination. These would correspond to the foundation boys at the public schools, and to the scholars at the universities. They would have their education, and sometimes their board, free, but their clothing would be supplied by their parents. In some very special cases clothes might also be supplied. Not only the free grammar schools throughout the country, but such institutions as Christ's Hospital in London and Queen Elizabeth's School at Bristol, would be recruited by boys selected by open examination. (5.) The evening schools (*c*) would supply education to such of the boys and girls as had left school, and desired to improve themselves. Such is the educational machinery which I venture to suggest, or rather it is that which has been suggested by others, and of which I cordially approve. It has many advantages. It meets the wants of every class of society. It multiplies scholars, because for every educational prize there will be many candidates, instead of one nominee. It will assist none but those who are willing to assist themselves. It restricts the benefits of intellectual culture to those who can best take advantage of it. It will draw forth from obscurity many a brilliant intellect which must otherwise waste its power in neglect and indigence. Lastly, it will go some way to put an end to that separation between the upper and lower classes, the rich and the poor, which does more, perhaps, to prevent an efficient and economical system of education than any other circumstance.

4. But these proposals require extensive changes. Now the only means by which any alterations can be made in charitable endowments is by an application to the Court of Chancery, or, in cases beyond its jurisdiction, to

Parliament. Neither of these tribunals, however, are at all competent to deal with so vast and complicated a subject as the charities. With respect to the Charity Commission, it has no power to effect any change—it can only suggest and approve. (1.) As to the Court of Chancery, it is too expensive, and even if it were less expensive it is incompetent to deal with social subjects. When it is considered, on the one hand, that out of a total of 28,880 charities there are 17,972 under 10*l.* a year, with an aggregate income of 58,187*l.*, and, on the other hand, that no charity under 10*l.* a year has ever been recovered by the action of the Court of Chancery without disappearing in the process, it is obvious that for the smaller charities which constitute the majority there is practically no legal protection. Some moderately cheap jurisdiction is quite as much needed for the smaller charities as was once the case for the smaller debts. According to Mr. Erle the proceedings of the Attorney-General are expensive necessarily; there is great opposition to them, and great difficulty in the case of small charities in setting the Attorney-General in motion. Even in the county courts the expenses of adverse proceedings are increased relatively to the value of the small charities. “As a general rule it may be laid down,” says Mr. Senior, and his opinion is supported by others, “that the instant a charity not exceeding 30*l.* a year becomes the subject of a suit it is gone; one of 60*l.* a year is reduced one half; one of a 100*l.* one third. The prudent friend of such a charity will submit to see it mismanaged to any extent short of the destruction of all its utility, rather than risk its ultimate annihilation by the ruinous protection of the court.” Mr. Martin has paid particular attention to the expenses imposed upon charitable funds by the necessity of applying to the Court of Chancery, and states that the question of costs is always one to which he particularly directs his attention. He has furnished the following list of costs in various cases; in *Attorney-General v. Corporation of Ludlow*, 20,929*l.* 15*s.* 10*d.*; in the case of *Coxe’s almshouses, Ludlow*, 2,015*l.* 15*s.* 9*d.*; appointing municipal trustees, *Ludlow*, 776*l.* 12*s.* 8*d.*; appointing new trustees, 131*l.* 8*s.* 10*d.*; appointing municipal trustees at *Shrewsbury*, 798*l.* 14*s.* 7*d.*; scheme in *Millington’s hospital there*, 336*l.*; appointing municipal trustees at *Sandwich*, 63*l.* 10*s.* 8*d.*; appointing municipal trustees at *Bewdley*, 69*l.* 14*s.* 4*d.*; costs in the case of *Bewdley grammar school*, 377*l.* 12*s.* 6*d.*; costs in the case of *Jesus Hospital, Canterbury*; 1,095*l.* 4*s.* 8*d.*; changing the site of *Reading Blue-Coat school*, 457*l.* 12*s.* 4*d.*; part of cost in the *Shrewsbury grammar school*, 921*l.* 14*s.* 4*d.*; in the case of *Queen Elizabeth’s estate, Stafford*, 1,033*l.* 9*s.* 6*d.*; appointing municipal trustees, *Stafford*, 244*l.* 10*s.* 1*d.*; appointing new trustees and scheme for school, 397*l.* 7*s.* 4*d.*; scheme for the school at *Wolverhampton*, about 800*l.*; costs in *Mrs. Anne Cam’s charity*, before 1807 and 1837, nearly 2,000*l.*

After further observations, not only on the expensiveness, but on the incompetency of the Court of Chancery, as well as Parliament, to which resort is often had, Mr. Cumin concluded as follows:—

5. Two points thus seem to be established. In order to render endowments as useful as possible, some alteration must be made in the terms of the foundation; and the only tribunals which now exist capable of effecting that purpose, the Court of Chancery and Parliament, are unfit. A new tribunal, then, is required. I have some doubts whether the constitution of that tribunal comes within my commission; but I shall venture upon a suggestion. Some additional power must be conferred, and this may be

done in one of two ways: either the charity commission may be clothed with power to frame new schemes, or a modified course may be taken. The commissioners may be empowered to draw up new schemes in certain specified cases, and upon certain specified objects, and subject to obtaining the assent of a proportion of the parties interested, and it may be enacted that these schemes shall become law after lying on the table of the Houses of Parliament for three months. This power would be strictly analogous to the powers conferred on the Oxford University commissioners. But in addition to this, it is essential that the charity commissioners should be brought into connexion with the Privy Council of Education. If educational endowments are to produce the maximum of benefit, they must be administered according to some system. The charity commissioners seem to admit that they have not time sufficient to devote to educational questions. When they examine a school they generally do it through the Government inspector. In order, therefore, to establish the connexion suggested, it appears to me that one of the charity commissioners should be an education commissioner—appointed specifically for that subject—and that no new education scheme should be passed by the charity commissioner until it has obtained the sanction of the Vice-President of the Committee of Council of Education.

The Rev. J. S. Howson, M.A., principal of the Collegiate Institution, Liverpool, made a special report on popular education in Liverpool.

The Rev. H. G. Robinson, M.A., prebendary of York, and principal of the York training college, made a statement on training colleges.

Besides procuring these reports the education commissioners sent questions to different parties interested on education, on the standard of education, the actual state of education, the causes of deficiency if any, the character of the existing system of Government aid and inspection, the efficiency of endowed schools, requesting also suggestions as to the maintenance of the existing system of Government aid and inspection or otherwise, the qualification of teachers, training colleges, and the results of education; and answers were published by Sir Charles H. T. Anderson, of Lea, Edward Ackroyd, Esq., of Halifax; the Rev. Dr. Adler; T. W. Allies, Secretary of the Catholic Poor School Committee; Moses Angel, Esq., of the Jews' Free School; the Hon. and Rev. S. Best, Rector, Hampshire; Rev. J. W. Blakesley, B.D., Vicar of Ware, Herts; Rev. Samuel Blackall, M.A., perpetual curate of Ixworth, Suffolk; the Rev. Richard Brown of Bishop Auckland; Mr. Bodichon; Herbert Besley, Esq., Manager of National Schools; Miss Carpenter; the Bishop of Carlisle; the Rev. F. Close, Dean of Carlisle; the Rev. J. Cundill, B.D., Incumbent of St. Margaret's, Durham; the Rev. J. Cromwell, M.A., Principal of the Diocesan Training School, Durham; the Rev. Derwant Coleridge, Prebendary of St. Paul's, Principal of St. Mark's College, Chelsea; the Bishop of Durham; Lady Dukinfield; the Rev. T. W. Davids, of Colchester; Sir A. H. Elton, Bart.; the Rev. Irwin Ellen, Rector of Faldingworth, Lincolnshire; William Ellis, Esq.; Rev. Samuel Earnshaw, Chaplain of St. Peter's, Sheffield; the Rev. John Freeman, M.A., Rural Dean, Rector of Ashwick, Norfolk; Rev. John Guthrie, Canon of Bristol and Vicar of Colne, Wiltshire; Rev. H. Fearow, B.D., Honorary Canon of Peterborough and Rector of Loughborough, Leicestershire; Miss Hoyer; Mrs. Harries; Rev. G. Hans Hamilton, M.A., Rural Dean and Vicar of Berwick-upon-Tweed; Rev. J. H. Renton, M.A.; Leonard Horner, Esq., Inspector of Factories; Rev. C. E. R. Keene,

Henley-on-Thames; Lord Lyttleton; Hon. Charles Langdale; the Countess of Macclesfield; Rev. J. D. Maurice; Rev. George Marshall; J. G. Marshall, Esq., of Leeds; W. C. Macready, Esq., of Sherborne; Rev. William Poole, Prebendary of Hereford; Rev. T. T. Penrose, Prebendary of Lincoln; Miss E. Partridge; Rev. Archdeacon Randall; the Bishop of St. David's; Hon. and Rev. W. H. Scott; Miss Elizabeth Sewell; Colonel Stobart; H. S. Skeats, Esq.; John Snell, Esq., Schoolmaster; W. H. Shields, Master of the Peckham Birkbeck School; Rev. Nash Stephenson; Miss E. Twining; Miss Twining; Hon. and Rev. S. Waldergrave; Rev. C. B. Wollaston; William Walker, of Rolling Hall, Bradford; Mrs. J. M. White; Miss Yonge; and the Rev. F. B. Zinske.

POPULAR EDUCATION.

Minutes of Evidence taken before the Commissioners appointed to Inquire into the State of Popular Education in England.

IN addition to the written answers to certain questions, the commissioners examined orally many persons who had directed their attention to the question of education, and their evidence forms the sixth volume of the report. The witnesses examined were Mr. Ralph R. W. Lingen, secretary to the committee of council on education; Mr. Harry Chester, late assistant secretary of the same committee; Mr. Horace Mann, of the Census Office; Rev. Frederick Charles Cook, M.A., inspector of schools; Rev. Frederick Watkins, B.D., inspector of schools; Mr. Thomas William Marshall, inspector of schools; Mr. John Daniel Morell, inspector of schools; Rev. Samuel Clark, M.A., principal of the Battersea training college; Rev. Harry Baber, M.A., principal of the Whitelands training college; Rev. John Scott, principal of the Wesleyan training college; Rev. William J. Unwin, principal of the Homerton college; Sir James Kay Shuttleworth, Bart., late secretary to the committee of privy council on education; Rev. Frederick Temple, D.D., master of Rugby school; Mr. Edward Carleton Tufnell, inspector of workhouse and other schools; Rev. Robert Key, M.A., diocesan inspector in the archdeaconry of Derby; Peter Erle, Esq., Q.C. chief commissioner of the charity commission; Mr. Thomas Hare, inspector of charities; Mr. James Offley Martin, inspector of charities; Mr. William Andrew Schields, master of the Birkbeck school; Mr. William Tanner Imeson, M.A., teacher; Mr. Alfred Moseley, master of the Stepney union industrial school; Mr. Isaac Todhunter, of the south metropolitan district school at Sutton; Mr. William Gilgrew, treasurer to Christ's hospital; and Mr. Joseph Randall, assistant master of St. Martin's schools. Without attempting to give even a summary of this body of evidence, we think it best to append an extract of a valuable paper communicated to the Rev. W. J. Unwin, by Edward Baines, Esq., M.P., giving arguments in favour of a voluntary system of education, as follows:—

“I believe it can be established by reason and by facts that the voluntary system of education is equal to supplying the wants of the country, whilst it is free from the very serious objections which exist to all systems directed and supported by Government. The first of these positions is strongly supported by the fact, that the modern extension and improvement of popular education have originated almost wholly in voluntary zeal. This was the case with Sunday schools,—with the Lancasterian or British and

Foreign School system,—with the schools of the National Society on the system of Dr. Bell,—with infant schools,—with mechanics' institutions,—with ragged schools,—with reformatories,—with normal schools for the training of teachers,—with unions of mechanics' institutions,—with the examinations of middle-class schools by the universities,—with the improved school apparatus and methods of teaching,—and with our school books. It is true that improvements begun by individuals or societies have been taken up and carried forward by the committee of privy council; but if those improvements had their origin and early success in independent sources, we might reasonably trust to the same sources to carry them on, and to originate others beyond all our present expectations.

“The voluntary system of course includes all the efforts made by private and professional educators for their own interest, as well as those made by public-spirited, benevolent, and religious individuals and associations from higher motives for the general good. It may be said, therefore, to rest upon the following principles, namely: 1st. The efforts of private teachers, exerting themselves in free competition for their own profit. 2nd. The benevolence of public-spirited and patriotic individuals, who see the tendency of education to promote the intellectual, moral, and social improvement of their fellow-countrymen. 3rd. The zeal of religious bodies, earnest for the moral and religious interests of the poor, and for the spread of their respective views of truth. 4th. The interest and affection of parents, prompting them to seek the education of their children. 5th. The ever increasing demand for education on the part of workmen, consequent on improved machinery and industrial processes, and the better remuneration obtained by educated labourers. 6th. The spirit of the age, displayed in cheap literature, institutions for popular improvement, extended political knowledge, &c. 7th. The habit and the power of combination among men for all objects of public and individual advantage, including not merely the greatest works ever executed, namely, our railways, but the enlightenment and evangelization of the world by the various missionary, bible, and tract societies. The efficacy of some of the above principles to bring about the education of the humbler classes is most strikingly illustrated by the modern system of Sunday schools, which was originated about the year 1781, and which has steadily advanced till it has covered the whole country. Not only is there a Sunday school connected with almost every place of worship; not only are almost the whole of the children of the working classes found attending Sunday schools for an average period of seven or eight years, but we have the wonderful fact proved by the census of 1851, that no less than 318,000 persons are regularly engaged as teachers in those schools, without any pecuniary compensation, but purely from conscientious and benevolent motives. I know of nothing in the history of the world equal to this. From a connection of more than forty years with Sunday schools, I am convinced that the system is immensely useful to the humbler classes in their moral, religious, and social character; that it binds together the different classes of the community, and that the teachers receive in their self-denying labours an incalculable amount of spiritual benefit.

“In regard to day school instruction, all the greatest difficulties were overcome, and all the greatest improvements were originated, purely by voluntary means. The prejudices of the rich, the indifference of the poor, and the jealousies of religious sects, were all conquered before the Government began its interference. We have no reliable statistics of education in

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England and Wales before the year 1818, but what was done between that year and 1851 is indicated in two sentences of the census report, which, with the accompanying figures, speak volumes for the power of the voluntary system. Mr. Horace Mann, the author of the report, says:—“It appears as to *day schools* that while in 1818 there was a scholar for every 17·25 persons, and in 1833 a scholar for every 11·27 persons, in 1851 there was a scholar for every 8·36 persons; and as to *Sunday schools* it appears that while in 1818 there was one Sunday scholar for every 24·40 persons, and in 1833 one scholar to every 9·28 persons, in 1851 there was one scholar to every 7·45 persons. The increase between 1818 and 1851 was of day scholars 218 per cent., and of Sunday scholars 404 per cent., whilst the increase of population was but 54 per cent. The following table shows the figures for each of the three periods:—

Periods.	Population at each Period.	Number of Scholars at each Period.		Proportion of Scholars to Population at each Period.	
		Day Scholars.	Sunday Scholars.	Day Scholars.	Sunday Scholars.
1818	11,642,683	674,883	477,225	One in 17·25	One in 24·40
1833	14,386,415	1,276,947	1,548,890	11·27	9·28
1851	17,927,609	2,144,378	2,407,642	8·36	7·45

“It is right to add the following remark made by Mr. Horace Mann in a note:—‘These per-centages are of course subject to variation on account of the deficiencies in the two inquiries of 1818 and 1833, and on account of possible differences in the mode of enumerating the scholars; but these variations cannot seriously diminish the rate of increase, still less can they affect the inference that a vast extension of education was accomplished between these years.’

“It will be seen that the rate of increase in day scholars, according to the above table, was 89 per cent. in the period from 1818 to 1833, and 68 per cent. in the period from 1833 to 1851. In the first period no aid whatever was granted by the State. In the second period no aid was granted for the expenses of schools prior to the year 1847, except only a portion of the expense of school buildings, to meet a larger contribution from voluntary subscriptions after the year 1833. With the exception of four years, then, from 1847 to 1851, all the cost of education was furnished by voluntary means for the thirty-three years comprised in the returns, excepting a part of the expense of the school buildings subsequent to 1833.

“Subsequent to 1851, we have no official evidence of the number of day scholars in England and Wales. But two returns have been published by the National Society of the scholars in the schools connected with the Established Church, according to which those scholars were as follows:—in the year 1837, 558,000 day scholars; in the year 1847, 955,000 day scholars; in the year 1857, 1,187,000 day scholars. Between 1837 and 1847 the increase was 62 per cent., and between 1847 and 1857 the increase was 24 per cent.”

ANNALS OF BRITISH LEGISLATION.

SERIES A. FINANCE, COMMERCE, AND AGRICULTURE.

FIFTH REPORT OF THE COMMISSIONERS OF HER MAJESTY'S CUSTOMS.

THE year 1860, though not presenting any very remarkable features in the civil government of this country, though not distinguished for any very brilliant military successes, or important political achievements, will nevertheless be by no means unmarked in the commercial annals of England. It will be remembered that in this year, notwithstanding the generally threatening aspect of affairs on the Continent, and the troubled condition of the great Republic in another hemisphere with which we are so closely connected by the ties of relationship and interest; notwithstanding also the serious calamity at home of one of the worst harvests ever known in this country; the trade of England continued steadily to increase, and the condition of the people was prosperous and contented. It will also be remembered that, in consequence of this satisfactory state of the social and commercial relations of the country, the Legislature were, in this year, enabled, in the first place, to carry out a wide and hitherto unattempted extension of the principles of free trade, by releasing from fiscal liabilities not, as before, the raw material of commerce only, but the highly prepared and manufactured foreign article, and, in the second, to effect by treaty an extensive modification of the prohibitory laws of a neighbouring country, and thereby to hold out to ourselves the prospect of some return for the liberality of our own concessions.

As this treaty of commerce with France is the first event of the year 1860 as to date, as well as the highest in importance in its probable effects, both upon the foreign trade of the country, and upon the position of this department; as, moreover, the majority of the great fiscal changes that mark the year, and by which the revenue has been affected, originated in the treaty, and were confirmed by the legislature, not only upon general grounds, but as forming part of the treaty, we propose, before detailing to your lordships, in the usual way, the progress made in our exports and imports, the advance in the consuming powers of the country, and the consequent position of our customs revenue, briefly to set out the principal provisions of the treaty, confining ourselves, however, for the sake of brevity, to those which involve an abolition or reduction of a duty.

To show the importance of the concessions obtained from France to the prosperity of our trade, it is only necessary to observe, that the prohibitions previously existing in her tariff excluded from that country the yarns and textile fabrics of Manchester, Glasgow, Leeds, Huddersfield, Bradford, Leicester, and Nottingham; the finer sorts of earthenware of Staffordshire

and Newcastle; the glass ware of Birmingham, Newcastle, and London; the hardware of Birmingham and Wolverhampton; the cutlery of Sheffield, and the broadcloth of Yorkshire and the West of England; while upon many other manufactures of England not absolutely prohibited, the duties, in accordance with the policy of protection which has throughout the whole of the present century so completely governed the commercial code of France, and which was rendered more stringent in the case of England by long continued hostility between the two countries, had been fixed so high, as, in most cases, equally to prevent their importation into France.

The treaty itself was signed at Paris on the 23rd January, and was to continue in force for ten years from the date of ratification, and so on from year to year, with one year's notice on either side of an intention to put an end to its operation, the right being reserved to both contracting powers to introduce, by common consent, any modification not opposed to its spirit and principles, the utility of which had been shown by experience. The engagements as to the abolition or reduction of duties, entered into by the contracting parties, were—

On the part of France,—1st. To reduce the duty on a number of articles of British production and manufacture, when imported into France or Algeria, to a maximum duty of 30 per cent. *ad valorem*, to be further lowered to a maximum of 25 per cent. by the 1st of October, 1864; such *ad valorem* duties to be converted into specific duties, for the various classes of articles, by a supplementary convention, to be concluded before the 1st July, 1860, the medium prices during the six months preceding the date of the treaty being taken as the bases for this conversion. In case of delay in signing the supplementary convention, or in settling specific rates for any articles, the *ad valorem* duties to be levied in the meantime. 2ndly. As an element of this conversion, to reduce at once the duty on those kinds of bar iron then liable to a duty of 10 francs per 100 kilogrammes (not including the two additional decimes), or 4s. 1d. per cwt. to 7 francs, or about 2s. 10d. per cwt., till 1st October, 1864, and to 6 francs, or about 2s. 6d. per cwt., from that period, including in both cases the two additional decimes. 3rdly. To reduce the duties on British coal and coke to 15 centimes for the 100 kilogrammes, with two decimes added, or to a duty of about 1s. 5d. per ton, and within four years to establish a uniform duty not to exceed the above upon the importation of coal and coke by land and sea.

On the part of England,—To recommend to parliament the abolition, immediate or prospective, of duty on a large number of articles, the reduction of the duty on French wines to 3s. per gallon at once, and the establishment of a scale of duty from the 1st April, 1861, for charging wine according to its alcoholic strength, by which a further material reduction would be effected; the ports for the importation of wine to be named, but power being reserved to the British Government to substitute other ports, or add to their number, and also to fix the maximum amount of proof spirit to be allowed in wines at not less than 37 degrees. Further, to recommend the admission of merchandise imported from France or Algeria at a rate of duty equal to the Excise duty payable upon articles of the same description in the United Kingdom, augmented by a sum equivalent to the expenses incurred under the system of Excise by the British producer, viz., of brandies and spirits from France or Algeria at 8s. 2d. per gallon; of rum and tafia from the French Colonies at the British Colonial duty; of paper-hangings from France or Algeria at 14s. per cwt.; of cardboard at a

duty not exceeding 15s. per cwt., and of gold and silver plate at a duty equal to the Stamp or Excise duty charged on the British article, viz., of 17s. and 1s. per oz. troy respectively; power being given to both countries, in case it should be necessary to establish an Excise tax or inland duty on any article of home production or manufacture comprised among the preceding enumerated articles, to impose an equivalent duty on the foreign article on importation. By the same article it was also understood that the scale of duties on wines should be modified according to a certain rate, in case the British Government found it necessary to increase the Excise duties on home-made spirits.

The treaty was made binding on England (with the reservation as to wines above given), so soon as the sanction of parliament should be obtained; but power was reserved to her to retain, upon special grounds and by way of exception, half the duties on the goods made free (except on silk goods) for a period not exceeding two years from 1st April, 1860.

Finally, an engagement was entered into on both sides not to prohibit the exportation of coal, and to levy no duty on such exportation.

On the 25th February and on the 27th June two additional articles were signed; the first, raising the duty on spirits from 8s. 2d. to 8s. 5d. per gallon, the surtax of 2d. per gallon not having been found sufficient to place the British home-made spirits on terms of equality with the foreign, and the 2nd (which was agreed upon in consequence of its being found impossible to accomplish the adjustment of the first tariff of specific duties by the 1st of July, the date named in Article XIII. of the treaty), substituting for the one supplementary convention agreed upon in the treaty three separate supplementary conventions for establishing the rated in lieu of the *ad valorem* duties to apply to different articles of merchandise, and to come into force for those articles on the same days as fixed by Article XV. of the treaty. The last convention to be ratified before the 1st November. Accordingly on the 12th October the first supplementary convention was signed, which fixed and promulgated the tariff for metals, metal manufactures, cutlery, machines, machinery, refined sugar, and a few other articles of minor importance, and which laid down the regulations under which the *ad valorem* duties are to be levied in France.

The signature of this convention having been unavoidably delayed beyond the time originally fixed in the treaty, in consequence of the various interests existing in both countries in connection with the iron trade, and the prolonged inquiries and discussions that were thus rendered necessary; it was then agreed that all the other remaining articles (besides cotton and linen goods and other yarns and manufactures of hemp and flax, as originally intended) should be included in one other supplementary convention, and no third convention be required; and on the 16th November the second supplementary convention was signed, fixing the tariff for textile fabrics, vegetable fibres, chemical products and dye stuffs, glass and crystal ware, earthenware and pottery, and on the various other enumerated articles; such tariff, however, only to take effect from 1st of June in the present year for yarns and tissues of flax, hemp, and jute; and on 1st October in the present year for all other articles.

This convention also charged an additional duty in accordance with Article IX. of the treaty upon various articles of British origin or manufacture, by way of compensation for equivalent duties paid by French manufacturers, and introduced a stipulation that in the event of the modi-

fication or suppression of French excise duties, British manufacturers should enjoy the advantage of such reduction or suppression; reserving, however, to the French Government the power to levy a surtax on British goods to countervail the charges or expenses resulting from any system of supervision or control rendered necessary by such suppression. Power was also given to the French Government to confine the admission of pure and mixed tissues taxed *ad valorem* to the Paris custom house only, in cases where the valuation of such goods might be found to be difficult.

Your lordships are so well aware of all the circumstances connected with the collection of trade statistics, and of evidence on the part of manufacturers, both French and English, to assist the plenipotentiaries of each country in the formation of the new tariff, and have had so fully before you in the protocols, which extended over the lengthened period of nearly three months, the grounds upon which each alteration of duty was finally decided upon, and the bases upon which the *ad valorem* duties were converted into specific rates, that it is unnecessary for us to enter into any further detail upon the subject. It only falls within our province to mention the fact, that Mr. Ogilvie, our present inspector-general of the port of London, had the honour to be appointed, upon our recommendation, to the post of special commissioner, in conjunction with Mr. Malet, of the Board of Trade, to assist her Majesty's plenipotentiaries in their deliberations; that he was present in Paris throughout the whole of the preliminary inquiries and subsequent negotiations, and that your lordships have been pleased to convey to us your approval of his laborious and valuable services on this important occasion.

The engagements entered into on the part of this country, being in accordance with the spirit that has governed all fiscal regulations for many years past, were carried out with but little difficulty by various resolutions of the House of Commons early in the session, the whole of the abolitions and and reductions of duty being made to apply not to France and Algeria only, but to all nations of the world alike. To the resolution of the 28th February, fixing the duty and drawback on wine at 3*s.* till 31st December 1860, was appended the allowance, made in former cases under the Inland Revenue Minute of 7th July 1843, of drawback to licensed dealers who had complied with the terms of that minute, on the foreign wine in stock on the 10th February, at the rate of 2*s.* 9*d.* per gallon, being the difference between the former and the new rate of duty. The date of the 10th February was fixed with reference to a former order of your lordships, forwarded to us on the 11th, cancelling the above inland revenue minute from that time forward. A second resolution of the same date fixed the scale of duties chargeable under the alcoholic test prospectively to come into operation on the 1st January in this year. We shall, however, reserve all remarks on the operation of the alcoholic test, and on the abolition of the drawback both on wine exported and in stock, till we submit to your lordships our report for the current year, merely stating briefly, before the close of this report, the preparations we thought it necessary to make in advance for the introduction of the new system.

The spirit duties were fixed on the 6th March, not at 8*s.* 5*d.* and 8*s.* 2*d.* for the foreign and colonial spirits respectively (as agreed upon in the treaty), but at 8*s.* 6*d.* and 8*s.* 3*d.* A duty of 1*d.* having, however, been imposed upon all home-made spirits by resolution of the 29th February, this addition was in strict accordance with article 9. The duty on

sweetened spirits was also reduced by the same resolution from 20*s.* to 12*s.* per gallon as a necessary consequence of the reduction of the duty on plain spirits, though no stipulation to this effect is to be found in the treaty.

Of the general effect of the treaty as regards our trade with France it is impossible as yet to speak with any degree of certainty. The only portion of the new French tariff that is as yet in operation is that decided upon by the first supplementary convention, and relating to metals, minerals, and machinery, and metal manufactures. A very large contract for iron water-pipes was taken up at Glasgow for the French Government in the course of the autumn, and the returns of our exports to France up to the end of the year 1860 as compared with 1859, give us an increase in hardware of 49 per cent.; in pig-iron, of 4 per cent.; in bar and bolt iron, of 6 per cent.; in copper, of 8 per cent.; and in lead, of 35 per cent. On our side, where the execution has so promptly followed the treaty, we find, on looking at our account of goods imported from France, that the importation of clocks has risen 24 per cent.; of watches, 50 per cent.; of watches, 50 per cent.; of leather gloves, 15 per cent.; silk manufactures, 17 per cent.; shawls, scarfs, and handkerchiefs of woollen manufacture, 300 per cent. Of wine and spirits we shall speak hereafter in the usual way, a comparison of the returns of goods imported in 1860 and 1859.

We may here, however, mention that the depression of the silk trade, and the consequent distress among the Coventry ribbon weavers during the last year, has been erroneously attributed to the operation of the treaty. It cannot be denied that the importation of ribbons has increased in the year to the extent of about 10 per cent. But the whole of that increase was in the last month, December, and up to that time the importations had positively fallen off. The distress in Coventry was at its worst at a much earlier period of the year, and is in reality to be attributed to the alteration in the fashion of female attire that took place last year, and the almost entire discontinuance of the use of ribbons as a trimming. The effects of this change were as much felt in France as in England, and the workpeople of St. Etienne suffered as much as those of Coventry. The great depression of the silk trade also in America caused the return of large stocks of goods, manufactured for that market, to England; thus glutting the markets here, and stopping production for a certain time.

On the 17th July the duties on plain spirits were again raised from 8*s.* 6*d.* and 8*s.* 3*d.* to 10*s.* 5*d.* and 10*s.* 2*d.* per gallon respectively, and on sweetened spirits, from 12*s.* to 14*s.* The duty, however, on home-made spirits having been previously increased in exactly the same proportion, viz., from 8*s.* 1*d.* to 10*s.*, this course was still in strict accordance with the stipulation contained in Article IX. of the treaty. The increased duty took effect on and after the 17th July accordingly, and became law by the Customs Consolidation Act of the 28th August.

In consequence of this alteration the scale of wine duties, fixed by resolution of the 28th February prospectively to come into force on the 1st January in this year, was also modified by the addition of 3*d.* and 5*d.* per gallon to the 1*s.* 6*d.* and 2*s.* rate, in accordance also with Article IX., and by the introduction of a rate for wine when imported at above 40 and under 45 degrees of strength.

Notwithstanding, however, this one step in the opposite direction, independently of the treaty, the duties have in the course of the year 1860 been repealed on sixty articles, not including subdivisions; the duties on

currants, figs, fig-cake, hops, raisins, powder, vermicelli and macaroni, eau de Cologne, paper of all sorts, books and prints, timber, and wood goods, have been very materially reduced, and the prohibition formerly in force against malt has been replaced by a duty. The very important reduction of duty, which equalized the foreign with the colonial timber duties, was carried out by resolution of the 6th March, and on the 12th we received your lordships' order for the discontinuance of the bonding of foreign timber in future, and for the allowance of a drawback on timber and wood goods re-exported.

The only instances of the imposition of a new duty during the year 1860 have been a duty of 6s. per cwt. imposed on the 11th February on chicory, raw or kiln-dried, the reason for which was given in our report of last year; a duty of 1s. per ton on foreign and colonial ships built of wood registered as British, payable at the time of such registration; a duty of 1s. per load on staves of small dimensions, firewood, and teak for ship-building; of 2s. per load on hoops and shovel hilts; and of 1s. per ton on furniture woods, all formerly free, imposed for the sake of assimilating the charges upon all wood goods. The general result has been the reduction of the number of articles liable to duty from 428 to 142, including all the minor headings that fall under one general denomination, and a better and more consistent classification of the free goods for statistical purposes. On the 27th December we published, for the guidance of our officers and the information of the trade, an amended tariff for all free and dutiable articles, abolishing upwards of 300 subdivisions, and showing clearly the designations by which all articles are to be distinguished in future, and the denominations, whether of quantity or value, by which they are to be severally stated in the entries.

We now come to our usual comparison of the values and quantities of the different articles exported from and imported into this country in 1859 and 1860. The anticipations expressed in our last year's report, that the extraordinary impulse given to both exports and imports in 1859, as compared with 1858, would not be followed by a corresponding re-action, have been fully realized in 1860. So great had been the increase in the real value of our exports as then reported, that it would have been quite sufficient to establish the satisfactory condition of our trade had the return for 1860 been only equal to that for 1859, showing, as that return did, a rise of 6 per cent. over 1857, and of 11 per cent. over 1858. We can now report, however, a still further increase to the amount of upwards of 5,000,000*l.*, or 4 per cent., in the value of the exports of British and Irish produce. The figures are, 1858, 116,608,756*l.*; 1859, 130,440,427*l.*; 1860, 135,842,817*l.* Our best foreign customers appear to be, the Hanseatic Towns, France, Brazil, the United States, who have taken in round numbers goods from us to the value of 10 millions, 5 millions, 4 millions, 21 millions, respectively; while of the British possessions India and Australia have of course required the largest supply, the former having taken the value of 17 millions, and the latter of nearly 10.

The real value of the exports of foreign and colonial merchandise has also increased in nearly the same proportion, showing that this country well supports her position as an entrepôt through which the wants of the rest of the world are supplied. The figures are, 1858, 23,174,023*l.*; 1859, 25,203,163*l.*; 1860, 29,827,836*l.* The computed real value of the imports has, however, still further surpassed all reasonable expectation, having not

only exceeded the return of 1859 by 30,000,000*l.*, or 17 per cent., and that of 1858 by 46,000,000*l.*, or 27 per cent., but having actually left in the background the hitherto unrivalled year of 1857, with which we stated in our last year's report, that we were unable then to compete. The figures are, 1857, 187,844,441*l.*; 1858, 164,583,832*l.*; 1859, 179,334,981*l.*; 1860, 210,648,643*l.* Of this enormous amount, again taking round numbers only, Egypt has sent us goods to the value of 10,000,000*l.*, Russia of 16,000,000*l.*, and France of 17,000,000*l.*, while America has supplied us to the amount of 44,000,000*l.* (being an excess of 10,000,000*l.* over the importations of 1859), 6,000,000*l.* of which is the value of the corn, and 30,000,000*l.* of the cotton we receive from her, out of a total value of that article from all the world of less than 36,000,000*l.* Of the British possessions, India has returned us goods to the value of 15,000,000*l.* for the 17,000,000*l.* we have sent her, while Australia has only repaid us at the rate of 6,000,000*l.*, almost entirely in wool, for 10,000,000*l.* that she has received. The difference in this case is, however, more than made up by the amount of bullion imported from that country. The returns of quantities, taken as a whole, present nearly the same result that we pointed out last year in comparing 1859 with 1858, viz., an increase again in 1860 on 10 out of 14 principal articles.

The four articles that show a decrease are, 1st, sugar (unrefined), which has fallen off from 9,010,796 cwts. in 1858, and 9,098,544 cwts. in 1859, to 8,807,586 cwts. in 1860. This is, however, but an unimportant decrease, arising possibly from accidental causes, and will no doubt be fully made up in the course of the present year. 2nd, hemp and jute, which show only 1,609,175 cwts. against 2,159,980 cwts. in 1859. In taking, however, a series of years, to which 1859 was in many cases an exception, the quantity imported in 1860 does not appear to be much below the average. 3rd, silk (raw), which gives 9,178,647 lbs. against 9,920,891 lbs. in 1859, though still showing a large increase over 1858; the falling off in this case is not material (looking at the very large increase in 1859), and is almost entirely in the silk from China. This may, perhaps, be explained by the renewal of hostilities there, just as the trade had recovered from the depression consequent on the former war. The silk from Europe has also fallen off from a deficiency in the crop, but the quantities brought from India and Egypt show an increase on the other hand of 5 per cent. over 1859, and of more than 40 per cent. over 1858. 4th, spirits, which give 10,331,062 gallons against 11,256,710 gallons in 1859. This decrease is entirely in brandy, and cannot be attributed to the rise of the duty in July having checked the importation, inasmuch as this would press equally on rum and geneva; and even after that increase the duty only reached two-thirds of the rate in force in 1859. The falling off, moreover, in the six months from January to July (during nearly four of which the low duties prevailed), amounted to upwards of 25 per cent., as compared with 1859. Nor have we any reason to believe that there has been any increase in smuggling. The cause is rather to be found in the excessive imports of 1859, as compared with previous years, having overstocked the market (such an unnatural rise being generally followed by a corresponding depression); and in the capricious character of the imports of brandy generally, as shown in the margin, difficult indeed to account for, but in some degree owing to the varying nature of the wine crop, by which the imports of wine are from year to year, similarly, though less remarkably, affected. The imports of

rum on the other hand have risen in 1860 3 per cent. An extraordinary stimulus has been given to geneva, on which the former high duties had acted almost as a prohibition; the imports of that article have almost quadrupled. It does not, however, appear, by the returns at present before us, that the speculation has been a successful one, and the accounts of this year will, we believe, show a considerable falling off.

We now come to the ten articles of which the importation has increased:—Coffee has reached 82,767,746 lbs. as against 65,353,030 lbs. in the previous year. Corn and flour, which we observed showed a falling off in 1859, owing to the abundant crop in this country, have risen again in consequence of the unfortunate failure of the harvest here in 1860, and show 12,890,567 quarters and 5,093,845 cwts., as against 9,221,167 quarters and 3,330,770 cwts. in 1859. Cotton (raw) shows 12,419,096 cwts., against 10,946,331 cwts. Flax, 1,464,810 cwts. against 1,432,037 cwts. Provisions of all sorts, omitting eggs (which are entered by number, and show also a large increase) give 2,381,799 cwts. against 1,415,920 cwts. Tea shows the large increase of 88,946,532 lbs. against 75,077,452 lbs. Timber and wood goods, 2,802,284 loads against 2,729,507 loads. Tobacco, 51,670,893 lbs. against 50,671,364 lbs; and wool, 145,501,651 lbs. against 130,783,000 lbs. In all these cases, except tobacco, the importations have also largely exceeded those of 1858.

But the increase most deserving of special notice is that which has taken place in wine. This was, no doubt, to be expected both from the reduction of duty we have above alluded to, from 5s. 6d. per gallon and 5 per cent. to 3s., in pursuance of the terms of the treaty with France, and from the prospect the trade had before them throughout the year of the still further reductions that have now come into force. The returns for the last six years of the importation of wine are as follows:—1855, 8,946,766 galls.; 1856, 9,481,880 galls.; 1857, 10,336,845 galls.; 1858, 5,791,636 galls.; 1859, 8,195,513 galls.; 1860, 12,483,362 galls. This shows that the imports of 1860 are 50 per cent. above 1859, upwards of 100 per cent. over 1858, and 20 per cent. above the highest previous year, 1857. Looking at 1858 as quite an exceptional year, and allowing to the natural increase of production, and to the recovery of the vines from the effects of the long prevalent disease, an amount equivalent to the produce of the most favoured year, viz., 10,000,000 gallons in round numbers, we shall still have 2,000,000 gallons, or 25 per cent., increase upon 1859, as fairly to be attributed to the reduction of the duty. With the exception of colonial wine, which has suffered a large diminution in consequence of the final abolition of the protection so long accorded to our colonies, by the equalization of the foreign and colonial duty (the importation showing only 684,991 gallons against 789,756 in 1859), all descriptions of wine show an increase. Portugal and France, however, have taken the greatest advantage of the change, having sent us more than double the quantity they did in 1859, viz., 2,445,159 gallons and 2,535,760 gallons, against 1,010,888 gallons and 1,797,859 gallons respectively. Spain has sent us 5,325,948 gallons against 3,629,325 gallons. Holland, under which head is included the greater portion of the German and Rhenish wines, 373,243 gallons against 194,203 gallons; Madeira, 60,868 gallons against 47,957 gallons. This appears a large increase when we consider the almost total destruction of the Madeira vine so few years ago. It is, however, accounted for in a great measure by the practice now largely prevailing, owing to the extreme

scarcity and high value of Madeira wines, of sending Teneriff wine to Madeira, and exporting it again, after it has undergone a sufficient manipulation, as grown in that island. Naples and Sicily have sent us 253,444 gallons against 251,697 gallons, and other countries collectively 787,758 against 460,013 gallons.

Coming now to the return of quantities entered for home consumption, and taking wine the first in order, we find that we have not as yet reaped a corresponding advantage, in point of increased consumption, from so favourable an impulse having been given to the trade. The consumption of Spanish wines has risen only 3 per cent. as compared with an increased import of 40 per cent. Of port it has actually decreased 13 per cent., and of colonial wines 46 per cent. The consumption of French wines, however, has risen 61 per cent., and of German and mixed wines from Holland 77 per cent. The decrease in the port wines, and the almost stationary position of the sherries, so largely imported, brings down the whole increase of consumption on wine generally to little more than 1 per cent. as compared with an advance in importation of 50 per cent. This is no doubt, however, mainly owing to the tendency in the trade to hold back their stocks for the further prospective reduction in duty, which has now come into force.

It was not to be expected that the wine trade would lose any opportunity of taking advantage of so great a reduction of the duty by every means in their power, and accordingly, as soon as they received notice of the intended measure by the promulgation of the French treaty, a large exportation of wine upon the old rate of drawback, 5s. 10d. per gallon, commenced, great quantities of which were only taken to the Channel Islands, and immediately brought back, after the passing of the resolutions, at the 3s. duty. The effect of this scarcely legitimate operation was, that the quantities of wine exported on drawback in the month of February were nearly equal to that for the six months succeeding, while in December we again observe a large increase of shipments in anticipation of the total abolition of the drawback, which has now taken effect. These amounts, as well as the sums paid by the Inland Revenue as repayments on the stocks in hand, and which, we are informed, amounted to 288,271*l.*, must of course be looked upon as deductions from the revenue from wine which will not be found in the accounts of any future year.

To proceed with the other principal articles of daily use, the consumption of cocoa has risen 1 per cent.; coffee, 3 per cent.; corn, 3⁹ per cent.; flour, 53 per cent.; currants, 33 per cent.; spirits, 11 per cent. (that of geneva alone having increased nine-fold). Refined sugar has risen 6 per cent.; tea, 6 per cent.; tobacco, 1 per cent. The only articles of general consumption that show a decrease are raisins and unrefined sugar, which have fallen off in consumption in the same proportion as in import, in consequence in both cases of advanced prices. It is but fair, however, to consider that the deficiency in raisins, as bearing upon the comforts of the lower classes has in some degree been supplied by the larger consumption of currants, upon which the reduction of duty has been much greater than on raisins.

Notwithstanding, however, these favourable returns, both as regards importation and consumption, it cannot be expected, in the face of the very important reductions of duty that have taken place in the past year, that the Customs revenue for 1860 should show anything but a very considerable decrease. The total gross receipt has fallen off from 25,065,066*l.* to 23,165,764*l.*, showing a deficiency of 1,899,302*l.* The decreases are,

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however, with the one exception of sugar and molasses, entirely upon the articles that have been affected by the recent legislation, the loss on wine being, of course, by far the most considerable, and amounting to 808,506*l.*, or not far short of half the whole deficiency. Even that, however, cannot be considered as an unsatisfactory result, being only a falling off of 41 per cent. in face of a reduction of duty of 50 per cent.

The fluctuations of trade and revenue at the different ports of the United Kingdom during the past year, as compared with 1859, show a deficiency of 1,899,302*l.*, distributed between London, Liverpool, the other ports in England, and the Irish and Scotch ports respectively. The smaller ports in England have suffered the most. Their loss, taken collectively, amounts to 14 per cent. on the revenue received in 1859; while London shows only 8 per cent.; Liverpool, 10 per cent.; and the ports in Ireland and Scotland, only 3 per cent. respectively. Ten, however, out of the 76 English ports, 4 out of the 26 Scotch, and 7 out of the 19 Irish, actually show an increase of revenue, in face of all the reductions. Manchester, for instance, giving 10,698*l.* increase on tobacco; Goole, 11,294*l.* on sugar; Glasgow, 67,531*l.* on tea, sugar, and tobacco; and Cork, 18,019*l.* on tobacco, grain, and timber. London, Dublin, and Bristol have been most affected by the reduction of the duty on wine, while the abolition of the silk duties has lowered the receipts of Dover and Southampton to two-thirds, and those of Folkestone and Newhaven to one-fifth of their former revenue.

Such vast concessions having been made by the Government in the interest of free trade, and so large an amount of revenue sacrificed, it was but reasonable to expect that the mercantile community would co-operate with the executive in securing a correct account of the statistics of the country, both import and export (especially as such returns are, if to be fully relied on, of incalculable advantage to themselves), and that they could not therefore fairly object to a small charge being imposed to meet the expense attending the attainment of this object.

With this view, the unit of entry charge, as it is called, of 1*d.* upon all imports (with certain exceptions) for which an entry is required, and the bill of lading stamp of 1*s.* 6*d.* upon exports, were imposed by the Customs Tariff Amendment Act, and are now in full operation.

The tariff for the unit of entry, approved by your lordships on the 11th of May, has been added to from time to time, and some of the rates therein set down altered in accordance with the power given in the Act to your lordships and ourselves. There is certainly a disposition to object to this charge on the part of the public, who do not distinguish between a nominal tax for statistical purposes and an actual customs duty, and are apt to complain that goods, formerly free, are now subjected to a tax. The method of collection, by affixing stamps, is troublesome to our officers, and the combination of the *ad valorem* principle with the package charge is no doubt productive of many inconsistencies and inequalities in the incidence of the tax. The complaints, however, upon the whole are few, and have been chiefly confined to cases in which the package charge, as originally fixed, exceeds the *ad valorem* rate of $\frac{1}{4}$ per cent., and in which, accordingly, the applicants have obtained immediate relief.

The collection of the bill of lading charge has also imposed much additional labour upon our outward department in London, and has required the employment of an extra staff of clerks, in order to detect the evasions that are not unfrequently attempted. The attention of our officers has been

expressly directed to the possibility of this charge being evaded by collusion between the shipper and the ship-broker, or when the same person acts in both capacities; as also by the employment of an agent abroad who represents many different consignees. Sufficient time has not yet elapsed since the imposition of this charge to justify us in coming to any conclusion upon its ultimate success in a revenue point of view. An opinion prevails amongst our searchers in London, where the old shipping bill is still retained, that the substitution of the bill of lading for the shipping bill at Liverpool and the out-ports generally, will vitiate to a considerable extent, instead of improving, our statistical returns of exports, all free goods being shipped before clearance, and bills of lading presented after the vessels have sailed, when there is no possibility of ascertaining their correctness.

Our officers, however, at Liverpool (where we have made special inquiry upon these points, and where the export trade in free goods is of vast and increasing magnitude), assure us that they have no reason to believe the evasions of this charge are either numerous or important, and that in many cases, when they have been enabled, owing to the unexpected return of vessels through stress of weather, to compare the documents on board with those given in at the custom-house, they have been found to correspond in every particular.

The amount of revenue realised by these charges is as follows, from 16th May, the date of their commencement, to 31st December:—Unit of entry stamp, 82,868*l.* 3*s.* 1*d.*; shipping bill and bill of lading, 30,254*l.* 5*s.*: total, 113,122*l.* 8*s.* 1*d.* The revenue derived from the charge upon goods deposited in warehouse of $\frac{1}{2}$ per cent. on tobacco, and $\frac{1}{4}$ per cent. on other goods, which was also first imposed in 1860, amounted, up to 31st December, to 28,656*l.* 11*s.* 6*d.* This charge has been acquiesced in by the trade without much complaint, as they are sensible of the inestimable advantage to them of the bonding system, and the great liberality your lordships have always shown in permitting operations of various kinds to take place in warehouse under the eye of our officers. It has, moreover, had a beneficial effect by preventing the unnecessary deposit of goods in warehouse, to be again immediately removed, whereby useless expense is incurred by this department. The extra or double rates will apply to the new warehouses to be approved under the Act for inland bonding, which further boon to the mercantile community, hitherto confined to Manchester alone, has in 1860 been conceded.

The Act passed in July, and up to the present time the only towns of sufficient commercial importance which have presented themselves as applicants for the privilege, and prepared to comply with the necessary conditions, are Bradford, Leeds, and Halifax, all in the West Riding of Yorkshire. At Bradford, the Act is already in operation; the warehouses having been approved, the site for the custom-house selected, and the necessary officers appointed. Leeds and Halifax have only just been approved by your lordships, and no warehouses have as yet been proposed to us as fitted for the purposes of bonding. This concession to other towns necessarily places Manchester upon the same footing with them as to the payment of the expenses of the customs establishments, which will henceforward be partially met by the new charges upon goods. The payment by the corporation of Manchester to this department has, therefore, ceased from the date of the passing of the Act, together with the right to levy rates in aid which was granted them by the Manchester Bonding Act, of 1844.

The following is an analysis of some of the duties performed by the out-door department, both afloat and ashore. We give in some cases a comparison with 1859. The number of nightly visits paid by superior officers to officers boarded on vessels:—In 1859, 3,647; in 1860, 3,697. The number of officers boarded on vessels inwards,—In 1859, 8,494; in 1860, 11,356. The same outwards,—In 1859, 2,130; in 1860, 2,323. The number of officers boarded on lighters, with import, export, and transhipment charges,—In 1859, 13,519; in 1860, 12,243.

The number of cattle landed, and the various countries from which they come, are shown in the subjoined table:—

Country.	Beasts.	Calves.	Sheep.	Lambs.	Pigs.
Germany	6,426	20	100,638	—	6,511
Denmark	22,743	23	16,777	3,871	—
Holland	21,274	20,359	155,057	10,157	11,239
Belgium	79	2,189	113	—	17
Spain	1,910	—	—	—	4
Portugal	1,624	—	34	—	—
France	3	201	547	4	100
	54,059	22,792	273,166	14,032	17,871

It follows as a natural consequence on so great a reduction in the number of dutiable articles, and the unavoidable extension, to so much larger a proportion of the goods imported, of that liberality of treatment to which free goods, as distinguished from dutiable goods, have always been considered entitled,—that the labour and responsibility, thrown upon the customs officers must also have been proportionably lessened; and that, in consequence, their numbers must have been found to allow of a very considerable diminution, without endangering the revenue or inconveniencing the trade. To carry out this reduction in the most effectual, and at the same time, the most prudent manner, we have had to reconsider the whole principles upon which our out-door establishment has hitherto been framed. The officers nominated and appointed to superintend the examination and delivery of goods ashore, or, in technical phraseology, to take the landing account, and those employed afloat to guard the vessels before their cargoes are discharged, and to tally the cargoes from the ship, have always, as your lordships are aware, formed two distinct classes in the service, styled respectively “waterside” and “waterguard” officers; with different qualifications, duties, hours for work, rates of pay, and prospects of promotion.

As import duties, however, have been abolished and reduced from time to time, we have confided the examination and delivery of free and low duty goods to the latter class of officers, considering that such employment, though requiring watchfulness and fidelity, could be satisfactorily entrusted to men not possessed of any very superior intelligence or high educational acquirements. As we anticipated in the concluding observations of our last year’s report, the abolition of the silk duties, and of the 10 per cent. on goods manufactured, has now at once put an end to the most difficult and responsible portion of the duty devolving upon the former, and most highly-paid class, while greatly extending, at the same time, the sphere of employment for the latter. The few great articles that remain, and from which the revenue is derived, with the exception of wines and spirits, present no difficulty in the assessment of duty, beyond what can easily be overcome by an officer of ordinary capacity and education. We have,

therefore, been led to the conclusion that such a departmental distinction is no longer necessary, and that the revenue may now be collected, at a still smaller cost than heretofore, by amalgamating these two classifications (the necessary gradations of rank being of course retained), and making all out-door officers available for all out-door duty. The operations, however, connected with wines and spirits performed by the guagers being essentially of a special nature, and having become through recent legislation both more difficult and important, we have thought it better to make an exception in their case, and to retain them on their former classification. We have also continued the boatmen as a separate and distinct force, both in London and Liverpool.

The amalgamation in London took effect in May, and the new system is now in full operation. The difficulties attending its introduction have been great, both because none of the officers were conversant with the duties of both departments, and because the great and increasing business of the port would not admit of the slightest delay or impediment in the performance of those duties.

Notwithstanding, however, the great pressure upon the resources of the establishment during the autumn months, no complaints of delay have reached us, and we have every reason to believe that, when the difficulties inseparable from a change of such magnitude shall have been completely removed, it will be found to be advantageous to the revenue, economical in point of expenditure, and of great service to the trade of the port, who now have one department, instead of two, to deal with, all the members of which are available in any capacity in which their services may be required.

At the same time the duty becomes more arduous every year. So pressing are the demands for despatch, and so great the impatience of delay, that we have been obliged to sanction the loading of steamers, in many instances, during the whole of the night, and the discharge of import cargoes as long as daylight lasts, while the privilege of loading and discharging from 6 A.M. to 6 P.M., formerly confined to a comparatively small number of articles, as free and subject to low duties, has now, by the revision of the tariff, become all but universal. The hours of attendance for the officers formerly in the waterside or landing department are consequently much lengthened without any increase of pay and with worse prospects of promotion.

The in-door establishments in London will not be so seriously affected by the changes of last year, for though, as we have stated above, it may be possible in some departments to effect a reduction of the force, yet so rapidly does the trade of the port increase, that time is required to ascertain how far such reductions can be carried with safety. All these arrangements will, however, before long be completed, and we propose to state the final result to your lordships in our next year's report.

The same reasons, however, did not exist for postponing the reduction that, as we stated to your lordships early in the year, we were prepared to make in the numbers of the board, and of the gentlemen employed in our secretary's office. On the contrary, as soon as it was apparent how serious a diminution of numbers throughout the whole department would be necessary, we thought it advisable, on all accounts, to begin with that establishment in which we were ourselves more immediately interested.

We, therefore, in our very first report upon the probable effect of the

alterations in the tariff (18th April) proposed to your lordships the abolition of one office of commissioner and the reduction of the numbers in our secretary's office from 42 to 31. On the 30th April this proposal received the sanction of your lordships, and on the 30th June a re-arrangement of duties of the secretary's office having in the meantime been carried out, that establishment was finally placed upon its reduced footing. Your lordships are fully aware how great has been the loss to the public service generally, and to this department in particular, by the retirement of Admiral Saurin, in order to effect the reduction of the board. This did not take place till August, as he kindly volunteered to assist us in carrying out the difficult task of reducing and amalgamating the London establishments, an offer which we gladly availed ourselves of, and which largely contributed to the success of the measure.

The number of officers actually on the establishment on the 31st December in the years 1859 and 1860 respectively, was 5,875 in 1859, and 5,323 in 1860, which shows a reduction of 552; 58, however, of the vacancies thus created will require to be again filled up, and we have only delayed reporting them to your lordships till the completion of the out-port inspection shall have clearly shown how many out of that number will be supplied by officers made redundant. Of the remaining 494 men, 415 out-door, and 43 in-door officers, total 458, have left the service solely on account of the reductions, and have received compensation on abolition of office; 239 of these were in London, 90 in Liverpool, and 129 at the other out-ports collectively. The remaining 36, though struck off in the ordinary way, by death, resignation, dismissal, or superannuation, are yet properly to be included in this account, as, in consequence of the changes in the tariff, it has not been necessary to fill up their places. The total number of men, therefore, that we may consider as finally struck off is 494.

The sum, however, of 18,562*l.*, as the reduction in the salaries paid within the year, bears, in fact, but a small proportion to the actual saving of expenditure that has taken place, inasmuch as, the reduction not having been completed generally till the latter part of the year, the former salaries continued to be paid, and the whole effect of the saving cannot be seen till 1861. Thus in the Scotch ports there actually appears an increase of salaries of 894*l.*, while at the same time there is a decrease in officers employed of 35. The increase in salaries is owing to an addition to the staff, in consequence of the growing trade at Greenock and Grangemouth, approved by your lordships in 1859, but not coming into full operation till 1860; and which continued to affect the payments till the revision took place in November last; whereas the decrease in officers is taken from the close of the year after the revision and reduction of numbers had been carried into effect.

The total actual diminution in salaries and emoluments by the reductions of the year 1860, amounts to 87,679*l.* 15*s.* 9*d.*, a sum which would have been even larger, but for the necessity of making, in some cases, personal allowances to present possessors, when the salary of the new office is not equal to that enjoyed under the old establishment,* and of slightly improving the positions of the inferior officers at some of the out-ports. The salaries attached to the vacant offices which will require to be filled up amount to 4,809*l.*; if, therefore, we deduct this sum from 87,679*l.* 15*s.* 9*d.*, the remainder, viz., 82,870*l.* 15*s.* 9*d.*, will correctly represent the reduction

* These personal allowances will gradually cease as promotions take place from class to class.

in the expense in the Customs establishment to be taken credit for as the result of the changes of the year 1860, an amount which will be further augmented when the remaining ports of Scotland and Wales have been visited and the in-door establishments in London remodelled. It is true that a considerable charge will be incurred by the public by the increase of the superannuation and compensation list. Since the year 1854, however, when these allowances were first separately voted by Parliament, it has not been the practice to include them in the cost of collection. We are now only dealing with the numbers of the working staff by whom the revenue is actually collected, and showing at how reduced a cost in numbers and in salaries we are, in consequence of the late alterations, prepared to collect it in future.

The distress and hardship inseparable from such extensive reductions have been much mitigated by the application to all these cases of the 7th clause in the Superannuation Act of 1859, which makes an addition, on abolition of office, to the period upon which the superannuation allowance is calculated in proportion to the length of previous service, and by the liberality of the Government in giving up for the time all patronage, and allowing all vacancies to be filled from the list of officers made redundant. These measures, together with the necessary augmentation of some of the in-door offices in London, owing to the increasing requirements of the port, have very much assisted us in providing for many whose offices have been abolished. Still there are many cases which it is very difficult to deal with. Many remain in the receipt of small pittances with but a distant prospect of being re-employed, many have been obliged against their will to leave the service altogether and seek occupation elsewhere, and the prospects and promotion of all that remain have been most materially interfered with. In our last two reports we have mentioned that even before the changes of the past year began we were gradually reducing the expenditure at the out-ports by the abolition of the office of controller as vacancies occurred. These officers have now naturally been the first to retire, your lordships having already decided that their services were no longer necessary. The offices of collector and controller at the out-ports having always been considered co-ordinate, and promotions having been invariably made from the one office to the other, without distinction, as vacancies occurred, the case of those who have now been obliged to leave the service by the accident of their filling controllerships instead of collectorships at the time when the reductions took effect, is certainly one of considerable, though, no doubt, of unavoidable hardship. We regret to say that most of the officers of the this class are now upon the redundant list. They are, with but few exceptions, generally averse to the acceptance of the Inland Revenue appointments which your lordships kindly placed at our disposal, and still more disinclined to undertake the duties of a clerk in this department, which they consider would amount to a degradation, and we have great difficulty in providing for them on our establishment in any other way, the prospects of promotion to collectorships now that nearly all the older men have retired being very uncertain and remote.

In concluding, therefore, this report, we venture to bespeak the same consideration and liberality at your lordships' hands, for all the remaining cases of officers to be made redundant, as has been shown to those already decided. They are all in the same position as to abolition of office; we feel confident that they will all be found to have a just claim upon the

Government for previous service, good character, and conduct; and, from the experience of the past year, we feel compelled to speak even more strongly than we did in our last report, in support of every measure calculated to alleviate the severity of a blow hitherto unparalleled in the history of this, or, we believe, of any other public department.

A STATEMENT showing the Gross Receipt and Net Produce of the CUSTOMS REVENUE of the United Kingdom in each Year from 1850 to 1860, with the CHARGES OF COLLECTION thereon, and the Rate per Cent. of Collection on the Gross Receipt and Net Produce respectively.

YEARS.	Gross Receipts.	Net Produce after deducting Drawbacks, Bounties, Repayments on Over-entries, &c.	Charges of Collection.	Rate per Cent. of Collection.	
				On the Gross Receipt.	On the Net Produce.
	£	£	£	£ s. d.	£ s. d.
1850 ...	22,194,142	22,019,784	1,283,805	5 15 8	5 16 7
1851 ...	22,373,662	22,197,075	1,290,756	5 15 4	5 16 4
1852 ...	22,312,514	22,137,120	1,268,422	5 13 8	5 14 7
1853 ...	22,737,284	22,515,913	1,302,721	5 14 7	5 15 9
Years ended 31st March					
1855 ...	22,245,118	21,991,675	1,236,088	5 11 2	5 12 5
1856 ...	23,481,818	23,213,797	1,257,248	5 7 1	5 8 4
1857 ...	23,959,528	23,488,136	1,107,554*	4 12 5	4 14 4
1858 ...	23,603,770	23,275,743	843,757*	3 11 6	3 12 6
1859 ...	24,376,169	23,998,380	838,203*	3 8 9	3 9 10
1860 ...	24,789,793	24,391,084	823,284*	3 6 5	3 7 6

* NOTE.—*Charges of Collection.*—Under the head of Charges of Collection the foregoing Return exhibits, for each year, the aggregate sum which was shown, under the same designation, in the Accounts of the Customs Income and Expenditure rendered to Parliament for that year. The rule observed in the separation of Charges of Collection from other expenses paid out of the Revenue has not, however, been uniform throughout the period which this Return embraces. It has varied chiefly in these particulars:—1st, that since 5th April, 1854, the Charges of Collection have included the Expenses of the Warehousing Department, which were previously carried to a separate account as payments for National Objects. 2ndly, that the expenses of the Coast Guard, heretofore borne by the Revenue of Customs, and classed with Charges of Collection, have, since 1st October, 1856, been defrayed by the Admiralty; and 3rdly, that the Superannuation Allowances granted to retired officers of the Customs, which were brought to account among the Charges of Collection until 5th April, 1854, have, from that date, ceased to be so treated, and are now separately voted by Parliament.

REGISTERED TONNAGE OF THE BRITISH EMPIRE.

AGGREGATE NUMBER OF REGISTERED VESSELS existing on the REGISTRY in each year from 1851 to 1860, both inclusive.

Year ending 31st Dec.	United Kingdom.		Channel Islands.		British Plantations.		Total in British Empire.		
	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Vessels.	Tons.	Men.
1851 . .	25,194	3,601,729	849	60,615	8,201	669,741	34,244	4,332,085	340,998
1852 . .	25,228	3,698,004	858	61,274	8,316	665,114	34,402	4,424,392	343,513
1853 . .	25,748	3,969,158	860	61,046	8,701	734,218	35,309	4,764,422	352,896
1854 . .	25,986	4,184,685	873	64,065	9,489	867,096	36,348	5,115,846	369,093
1855 . .	25,115	4,286,908	833	62,426	9,744	901,219	35,692	5,290,553	361,194
1856 . .	25,335	4,304,460	842	62,496	9,835	945,480	36,012	5,312,436	367,573
1857 . .	26,219	4,491,877	878	67,363	9,991	973,147	37,088	5,531,887	387,353
1858 . .	26,638	4,587,898	883	69,845	10,210	981,885	37,781	5,609,623	388,345
1859 . .	26,804	4,591,260	898	71,941	10,498	997,211	38,200	5,660,402	391,431
1860 . .	26,764	4,586,742	899	71,945	110,679	1,017,004	38,342	5,675,691	393,530

† Several returns from 1860 not having been received, these Accounts will be corrected next year.

PACIFICATION OF SYRIA.

Convention between her Majesty, the Emperor of Austria, the Emperor of the French, the Prince Regent of Prussia, the Emperor of Russia, and the Sultan, respecting Measures to be taken for the Pacification of Syria. Signed at Paris, September 6, 1860; ratifications exchanged at Paris, October 18, 1860.

His Imperial Majesty the Sultan wishing to stop, by prompt and efficacious measures, the effusion of blood in Syria, and to show his firm resolution to establish order and peace amongst the populations placed under his sovereignty; and their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, his Royal Highness the Prince Regent of Prussia, and his Majesty the Emperor of all the Russias, having offered their active co-operation, which his Majesty the Sultan has accepted; their said Majesties and his Royal Highness have resolved to conclude a convention to that effect, and have named for their plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Earl Cowley; his Majesty the Emperor of Austria, Richard Prince of Metternich-Winneburg, Duke of Portella; his Majesty the Emperor of the French, M. Edward Anthony Thouvenel, a senator of the Empire; his Royal Highness the Prince Regent of Prussia, the Prince Henry VII. of Reuss-Schleiz-Köstritz; his Majesty the Emperor of all the Russias, the Count Paul de Kisséleff, his Aide-de-Camp General; and his Majesty the Emperor of the Ottomans, Ahmed Vefik Effendi; who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following articles:—

ART. 1.—A body of European troops, which may be increased to twelve thousand men, shall be sent to Syria to contribute towards the re-establishment of tranquillity.

ART. 2.—His Majesty the Emperor of the French agrees to furnish, immediately, the half of this body of troops. If it should become necessary to raise its effective force to the number stipulated in the preceding article, the high powers would come to an understanding with the Porte without delay, by the ordinary course of diplomacy, upon the designation of those who would have to provide it.

ART. 3.—The commander-in-chief of the expedition will, on his arrival, enter into communication with the commissioner extraordinary of the Porte, in order to concert all the measures required by circumstances, and to take up the positions which there may be occasion to occupy in order to fulfil the object of the present convention.

ART. 4.—Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, his Royal Highness the Prince Regent of Prussia, and his Majesty the Emperor of all the Russias, promise to maintain sufficient naval forces to contribute towards the success of the common efforts by the re-establishment of tranquillity on the coast of Syria.

ART. 5.—The high parties, convinced that such a period will be sufficient to attain the object of pacification which they have in view, fix at six months the duration of the occupation of the European troops in Syria.

ART. 6.—The Sublime Porte undertakes to facilitate, as far as lies in her power, the furnishing supplies and provisions for the expeditionary corps.

ART. 7.—The present convention shall be ratified, and the ratifications shall be exchanged at Paris within five weeks, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed it, and have affixed thereto the seal of their arms.

Done at Paris, the 5th of September, 1860. Signed, Earl Cowley, Prince Metternich, M. E. Thouvenel, Prince Reuss, Count Kisséleff, and Ahmed Vefyk.

PROTOCOLS RELATING TO THE PRECEDING TREATY.

*Protocol of a Conference held at the Department of Foreign Affairs,
August 3, 1860.*

His Imperial Majesty the Sultan wishing to stop, by prompt and efficacious measures, the effusion of blood in Syria, and to show his firm resolution to establish order and peace amongst the populations placed under his sovereignty; and their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, his Royal Highness the Prince Regent of Prussia, and his Majesty the Emperor of all the Russias, having offered their active co-operation, which his Majesty the Sultan has accepted; the representatives of their said Majesties and of his Royal Highness have agreed upon the following articles:—

[Here follow Articles 1 to 6, as above.]

It is understood that the six preceding articles shall be embodied *verbatim* into a convention, which shall receive the signatures of the undersigned representatives, as soon as they are furnished with full powers from their sovereigns, but that the stipulations of this protocol will come immediately into force.

The Chargé d'Affaires of Prussia, however, points out that the present distribution of the Prussian ships of war may possibly not permit his Government to co-operate at present in the execution of Article 4. Done, in sextuplicate, at Paris, the 3rd of August, 1860. Signed by Count Cowley, Prince Metternich, M. D' Thouvenel, Prince Reuss, Count Kisséleff, and Ahmed Vefyk.

*Protocol of a Conference held at the Department of Foreign Affairs,
August 3, 1860.*

The plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, and Turkey, desirous of establishing, in conformity with the intentions of their respective courts, the true character of the assistance afforded to the Sublime Porte by the provisions of the protocol signed this day, the feelings which have dictated the clauses of this Act, and their perfect disinterestedness; declare, in the most formal manner, that the contracting powers do not intend to seek for, and will not seek for, in the execution of their engagements, any territorial advantages, any exclusive influence, or any concession with regard to the commerce of their subjects, such as could not be granted to the subjects of all other nations.

Nevertheless, in recalling here the Acts issued by his Majesty the Sultan, the great importance of which was established by Article 9 of the treaty of the 30th of March, 1856, they cannot refrain from expressing the value which their respective courts attach to the fulfilment of the solemn promises of the Sublime Porte, that serious administrative measures should

be taken to ameliorate the condition of the Christian population, of every creed, in the Ottoman Empire.

The plenipotentiary of Turkey takes note of this declaration of the representatives of the high powers, and undertakes to transmit it to his court; pointing out that the Sublime Porte has employed, and will continue to employ, her efforts in the sense of the wish expressed above. Done, in sextuplicate, at Paris, the 3rd of August, 1860. To which there were appended the same signatures.

EMIGRATION OF LABOURERS TO FRENCH COLONIES.

Convention between her Majesty and the Emperor of the French, relative to the Emigration of Labourers from India to the French Colonies; with an additional Article thereto annexed. Signed at Paris, July 1, 1861. Ratifications exchanged at Paris, July 30, 1861.

HIS Majesty the Emperor of the French having made known by a declaration dated this day, (1st July, 1861) his resolution to put an end to the recruitment upon the coast of Africa of negro labourers by means of redemption; and her Majesty the Queen of the United Kingdom of Great Britain and Ireland desiring, in consequence, to facilitate the immigration of free labourers into the French colonies, their said Majesties have resolved to conclude a convention destined to regulate the recruitment of such labourers in the British territories in India. For this purpose they have named as their plenipotentiaries:—Her Majesty the Queen of the United Kingdom, the Most Honourable Earl Cowley, her Majesty's ambassador extraordinary and plenipotentiary to the Emperor of the French, and his Majesty the Emperor of the French, M. Edouard Antoine Thouvenel, senator, his minister and Secretary of State for the department of Foreign Affairs, who, after having communicated to each other their respective full powers, found in due form, have agreed upon the following articles:—

ART. 1.—The French Government shall be at liberty to recruit and engage labourers for the French colonies in the Indian territories belonging to Great Britain, and to embark emigrants, being subjects of her Britannic Majesty, either in British or French ports in India, under the conditions hereinafter stipulated.

ART. 2.—The French Government shall intrust the direction of its operations in every centre of recruitment to an agent chosen by itself. Those agents must be approved by the British Government. Such approval is assimilated, with regard to the right of granting and withdrawal, to the exequatur given to consular agents.

ART. 3.—This recruitment shall be effected conformably to the regulations which now exist, or may hereafter be established, for the recruitment of labourers for British Colonies.

ART. 4.—The French agent shall, with regard to the operations of recruitment which are intrusted to him, enjoy for himself and for the persons whom he may employ, all the facilities and advantages afforded to the recruiting agents for British colonies.

ART. 5.—The Government of her Britannic Majesty shall appoint in those British ports where emigrants may be embarked, an agent who shall be specially charged with the care of their interests. In French ports the

same duty with regard to Indian subjects of her Britannic Majesty shall be confided to the British consular agent. Under the term "consular agents," are comprised consuls, vice-consuls, and all other commissioned consular officers.

ART. 6.—No emigrant shall be embarked unless the agent described in the preceding article shall have been enabled to satisfy himself either that the emigrant is not a British subject, or if a British subject, that his engagement is voluntary, that he has a perfect knowledge of the nature of his contract, of the place of his destination, of the probable length of his voyage, and of the different advantages connected with his engagement.

ART. 7.—The contracts of service, with the exception provided for by section 4 of Art. 9, and by section 2 of Art. 10, shall be made in India, and shall either bind the emigrant to serve a person designated by name, or to serve a person to whom he shall be allotted by the proper authority, on his arrival in the colony.

ART. 8.—The contracts shall, moreover, make stipulation for:—1. The duration of the engagement, at the expiration of which the emigrant shall receive a return-passage to India at the expense of the French Government, and the terms on which it will be competent to him to renounce his right to a free return-passage. 2. The number of days and hours of work. 3. The wages and rations, as well as the rate of payment for extra work, and all the advantages promised to the emigrant. 4. Gratuitous medical treatment for the emigrant, except in cases where, in the opinion of the proper Government officer, his illness shall have arisen from his own misconduct. In every contract of engagement there shall be inserted an exact copy of Articles 9, 10, 20, and 21, of the present convention.

ART. 9.—1. The duration of the immigrant's engagement shall not be more than five years. In case, however, he shall be duly proved to have absented himself from work, he shall be bound to serve a number of days equal to the time of his absence. 2. At the expiration of that period, every Indian who shall have attained the age of ten years at the time of his departure from India shall be entitled to a return-passage at the expense of the French Government. 3. If he can show that his conduct has been regular, and that he has the means of subsistence, he may be allowed to reside in the colony without any engagement; but from that time he will lose his right to a free return-passage. 4. If he consents to contract a new engagement, he will be entitled to a bounty, and will retain his right to a return-passage at the expiration of such second engagement. The right of the immigrant to a return-passage extends to his wife, and to his children who quitted India under the age of ten years, as well as to those born in the colonies.

ART. 10.—The immigrant shall not be bound to work more than six days in seven, nor more than nine hours and a-half a day. The conditions of task-work, and every other kind of regulation for work, shall be freely arranged with the labourer. The obligation to provide, on holidays, for the care of animals and the necessities of daily life, shall not be considered as work.

ART. 11.—In British ports, the arrangements which precede the departure of the emigrants shall be conformable to those prescribed by the regulations for the British colonies. In French ports, the emigration agent, or his deputies, shall, on the departure of every emigrant ship, deliver to the British consular agent a nominal list of the emigrants who are subjects of

her Britannic Majesty, with a description of their persons, and shall also communicate to him the contracts of which he may require copies. In such case, only one copy shall be given of all contracts of which the provisions are identical.

ART. 12.—In the ports of embarkation, the emigrants who are subjects of her Britannic Majesty shall be at liberty, conforming to the regulations of police relative to such establishments, to leave the dépôts, or other place in which they may be lodged, in order to communicate with the British agents; who, on their part, may, at any reasonable hour, visit the places in which the emigrants, subjects of her Britannic Majesty, are collected or lodged.

ART. 13.—Emigrants may leave India for the colonies to the east of the Cape of Good Hope at all times of the year. For other colonies they may leave only from the 1st of August to the 15th of March. This arrangement applies only to sailing-vessels; vessels using steam-power may leave at any time of the year. Every emigrant sailing from India for the Antilles between 1st of March and the 15th of September shall receive at least one double blanket over and the above clothing usually allowed to him, and may make use of it so long as the vessel is outside of the tropics.

ART. 14.—Every emigrant-vessel must carry a European surgeon and an interpreter. The captains of emigrant-vessels shall be bound to take charge of any dispatch which may be delivered to them by the British agent at the port of embarkation for the British consular agent at the port of destination, and to deliver it to the colonial Government immediately after his arrival.

ART. 15.—In every vessel employed for the conveyance of emigrants, subjects of her Britannic Majesty, the emigrants shall occupy either between decks, or in cabins on the upper deck, firmly secured and entirely covered in, a space devoted to their exclusive use. Such cabins and space between decks shall in every part have a height of not less than one metre sixty-five centimètres French measure (1.65 m.), or five feet and a-half (5½ feet) English measure. No compartment shall take more than one adult emigrant for every cubic space of two mètres (2 m.) French measure, or seventy-two feet (72 feet) English measure, in the presidency of Bengal and at Chandernagore; and for every cubic space of one metre seven hundred centimètres French measure, or sixty feet English measure, in other French ports, and in the presidencies of Bombay and Madras. An emigrant above the age of ten years shall count as an adult, and two children from one to ten years of age shall count as one adult. A place shall be fitted up for a hospital in every emigrant ship. Women and children shall occupy compartments of the vessel distinct and separate from those of the men.

ART. 16.—Each shipment of emigrants shall include a proportion of women, equal to at least one-fourth of the number of men. After the expiration of three years the numerical proportion of women shall be raised to one-third; after two years more it shall be raised to one-half; and, after a further period of two years, the proportion shall be the same as may be fixed for the British Colonies.

ART. 17.—The British agents, at the embarkation, shall have, at all reasonable times, the right of access to every part of the ships which is appropriated to the use of emigrants.

ART. 18.—The governors of the French establishments in India shall make such administrative regulations as may be necessary to insure the complete execution of the preceding stipulations. [309]

ART. 19.—On the arrival of an emigrant-ship in any French colony, the Government shall cause to be transmitted to the British consular agent any dispatches which it may have received for him, together with—1. A nominal list of all labourers disembarked, who are subjects of her Britannic Majesty; 2. A list of the deaths or births which may have taken place during the voyage. The colonial Government shall take the necessary measures to enable the British consular agent to communicate with the emigrants before their distribution in the colony. A copy of the list of distribution shall be delivered to the consular agent. He shall be informed of all deaths and births which may occur during the period of engagement, as well as of all changes of employer, and of all departures on a return passage. Every fresh engagement, or act of renunciation of the right to a free return passage, shall be communicated to the consular agent.

ART. 20.—All immigrants being subjects of her Britannic Majesty shall, in the same manner as other subjects of the British crown, and conformably to the ordinary rules of international law, enjoy in the French colonies the right of claiming the assistance of the British consular agents; and no obstacle shall be opposed to the labourer's resorting to the consular agent and communicating with him; without prejudice, however, to the obligations arising out of his engagement.

ART. 21.—In the distribution of labourers, no husband shall be separated from his wife, nor any father or mother from their children under fifteen years of age. No labourer shall be required to change his employer without his own consent, unless he be transferred to the Government, or to the person who has acquired the property on which he is employed. Immigrants who may become permanently incapable of work, either by sickness or by any other cause beyond their own control, shall be sent back at the expense of the French Government, whatever time may still be wanting to entitle them to a free return passage.

ART. 22.—All operations of immigration may be carried on in the French colonies by French or British vessels without distinction. British vessels which may engage in those operations shall be bound to conform to all the measures of police, health, and equipment which may apply to French vessels.

ART. 23.—The labour regulations of Martinique shall serve as the basis for all the regulations of the French colonies into which Indian emigrants, subjects of her Britannic Majesty, may be introduced. The French Government engages not to introduce into those regulations any modification the result of which would be to place the said Indian subjects in an exceptional position, or to impose upon them conditions of labour more stringent than those prescribed by the said regulations.

ART. 24.—The present convention applies to emigration to the colonies of Réunion, Martinique, Guadeloupe and its dependencies, and Guiana. It may hereafter be applied to immigration to other colonies in which British consular agents shall be established.

ART. 25.—The provisions of the present convention relative to the Indian subjects of her Britannic Majesty shall apply to the natives of every Indian state which is under the protection or political control of her said Majesty, or of which the Government shall have acknowledged the supremacy of the British crown.

ART. 26.—The present convention shall begin to take effect on the 1st of July, 1862; its duration is fixed at three years and a half. It shall remain

in full force, if notice for its termination be not given in the course of the month of July of the third year, and then notice can be given only in the course of the month of July of each succeeding year. In case of such notice being given, it shall cease eighteen months afterwards. Nevertheless, the Governor-General of British India in council shall, in conformity with the Act of the 19th of September, 1856, relative to immigration to British colonies, have the power to suspend at any time emigration to any one or more of the French colonies, in the event of his having reason to believe that in any such colony proper measures have not been taken for the protection of the emigrants immediately upon their arrival, or during their residence therein, or for their safe return to India, or to provide a return passage to India for any such emigrants at or about the time at which they are entitled to such return passage. In case, however, the power thus reserved to the Governor-General of British India should at any time be exercised, the French Government shall have the right immediately to terminate the whole convention, if they should think proper to do so. But in the event of the determination of the present convention, from whatever cause, the stipulations relative to Indian subjects of her Britannic Majesty introduced into the French colonies shall be maintained in force in favour of the said Indian subjects, until they shall either have been sent back to their own country, or have renounced their right to a return passage to India.

ART. 27.—The present convention shall be ratified, and the ratifications shall be exchanged at Paris in four weeks, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Paris, the first day of July, in the year of our Lord one thousand eight hundred and sixty.

(Signed)

COWLEY,
THOUVENEL.

ADDITIONAL ARTICLE.—His Majesty the Emperor of the French having stated that, in consequence of the order which he gave long ago that no more African emigrants should be introduced into the Island of Réunion, that colony has, since last year, had to obtain labourers from India and China; and her Britannic Majesty having, by a convention signed on the 25th of July, 1860, between her Majesty and his Majesty the Emperor of the French, authorized the colony of Réunion to recruit six thousand labourers in her Indian possessions, it is agreed that the convention of this date shall take effect forthwith, with regard to the said colony of Réunion.

The present additional article shall have the same force and validity as if it were inserted, word for word, in the convention signed this day. It shall be ratified, and the ratifications shall be exchanged at the same time as those of the convention.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Paris, the 1st of July, 1861.

(Signed)

COWLEY,
THOUVENEL.

The Emperor of the French to the Minister of Marine and of the Colonies.

Fontainebleau, July 1, 1861.

M. le Ministre,—Since the emancipation of slaves, our colonies have endeavoured to procure labourers upon the coast of Africa by way of redemption, and by means of contracts of engagement which assure to the negroes wages for the work which they perform. These engagements are made for five or seven years, after which the labourers are sent back gratuitously to their own country, unless they prefer to remain in the colony; and in that case they are admitted to reside there on the same footing as other inhabitants. This mode of recruitment, it must be acknowledged, differs completely from the slave trade; in fact, while the latter had slavery for its origin and end, the former, on the contrary, conducts to liberty. The negro slave once engaged as a labourer is free, and is bound to no other obligations than those which result from his contract. Doubts have, however, arisen as to the consequences which such engagements may produce upon the natives of Africa. It has been asked whether the price of redemption does not constitute a premium upon slavery. Already, in 1859, I ordered that all recruitment should cease upon the eastern coast of Africa, where it had occasioned inconvenience; afterwards I directed that that description of operations on the western coast should be restricted; finally, I commanded that all the questions involved in African emigration should be examined with the greatest care.

I have this day signed a treaty with the Queen of Great Britain, whereby her Britannic Majesty consents to authorise the recruitment, in the provinces of India subject to her crown, of labourers for our colonies, on the same conditions as those observed for the English colonies. We must, therefore, find in India, in the French possessions in Africa, and in those countries where slavery is proscribed, all the free labourers we need. Under these circumstances, I desire that African recruitment by means of redemption be completely abandoned by French commerce, from the day when the treaty concluded with her Britannic Majesty shall begin to receive its execution, and during the whole period of its duration. If that treaty should cease to exist, it would only be in virtue of an express authorization that such recruitment, if it were found indispensable and free from inconvenience, could be resumed.

You will, therefore, have the goodness to take the necessary measures that this decision may take effect from the 1st of July, 1862, and that the introduction of negroes recruited on the coast of Africa subsequently to that date be forbidden in our colonies.

And so, &c.

(Signed) NAPOLEON.

OCCUPATION OF SYRIA.

Convention between Her Majesty, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of Russia, and the Sultan, prolonging the occupation of Syria to June 5, 1861. Signed at Paris, March 19, 1861. Ratifications Exchanged at Paris, May 18, 1861.

Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of all the Russias, and the Emperor of the Ottomans, having, after the exchange of explanations between their respective governments, agreed to modify, by common consent, the convention concluded between them on the 5th of September last, have for that purpose named as their plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom, the Right Honourable Earl Cowley; his Majesty the Emperor of Austria, Prince of Metternich-Winneburg; his Majesty the Emperor of the French, M. Thouvenel; his Majesty the King of Prussia, M. Count de Pourtalés; his Majesty the Emperor of all the Russias, M. Count de Kisséleff; his Majesty the Emperor of the Ottomans, Ahmed Vefyk Effendi; their respective ambassadors to his Majesty the Emperor of the French,

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:—

ART. 1.—The duration of the European occupation in Syria shall be prolonged until the 5th of June of the present year, at which date it is understood between the high contracting parties that it shall have reached its term, and that the evacuation shall have been effected.

ART. 2.—The stipulations contained in the second article of the convention of the 5th of September, 1860, in so far as they have not yet been executed, or as they are not modified by the present convention, shall continue in force during the period which will elapse between the date of the signature of the present Act and the 5th of June of the present year.

ART. 3.—The present convention shall be ratified, and the ratifications shall be exchanged at Paris in five weeks, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Paris, the 19th March, 1861.

(Signed)

EARL COWLEY,
PRINCE METTERNICH,
M. THOUVENEL,
COUNT DE A. POURTALES,
COUNT DE KISSELEFF,
AHMED VEFYD.

INTERNATIONAL COPYRIGHT.

Convention between her Majesty and the King of Sardinia, for the establishment of International Copyright. Signed at Turin, November 30, 1860. Ratifications exchanged at Turin, January 4, 1861.

Her Majesty the Queen of the United Kingdom, and his Majesty the King of Sardinia, being equally desirous of extending in each country the enjoyment of copyright to works of literature and of the fine arts which may be

first published in the other; her Britannic Majesty and his Sardinian Majesty have deemed it expedient to conclude a special convention for that purpose, and have therefore named as their plenipotentiaries, that is to say:—Her Britannic Majesty, Sir James Hudson, minister plenipotentiary at the court of his Majesty the King of Sardinia; and his Majesty the King of Sardinia, the Chevalier Constantine Nigra, his minister resident, &c. Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:—

ART. 1.—From and after the date on which, according to the provisions of Article 14, the present convention shall come into operation, the authors of works of literature or of art, to whom the laws of either of the two countries do now or may hereafter give the right of property, or copyright, shall be entitled to exercise that right in the territories of the other of such countries for the same term, and to the same extent, as the authors of works of the same nature, if published in such other country, would therein be entitled to exercise such right; so that the republication or piracy, in either country, of any work of literature or of art published in the other, shall be dealt with in the same manner as the republication or piracy of a work of the same nature first published in such other country; and so that authors in the one country shall have the same remedies before the courts of justice in the other country, and shall enjoy in that other country the same protection against piracy and unauthorized republication, as the law now does or may hereafter grant to authors in that country. The terms “works of literature or of art,” employed at the beginning of this article, shall be understood to comprise publications of books, of dramatic works, of musical compositions, of drawing, of painting, of sculpture, of engraving, of lithography, and of any other works whatsoever of literature and of the fine arts. The lawful representatives or assigns of authors, translators, composers, painters, sculptors, or engravers, shall, in all respects, enjoy the same rights which by the present convention are granted to the authors, translators, composers, painters, sculptors, or engravers themselves.

ART. 2.—The protection granted to original works is extended to translations; it being, however, clearly understood that the intention of the present article is simply to protect a translator in respect of his own translation, and that it is not intended to confer upon the first translator of any work the exclusive right of translating that work, except in the case and to the extent provided for in the following article.

ART. 3.—The author of any work published in either of the two countries, who may choose to reserve the right of translating it, shall, until the expiration of five years from the date of the first publication of the translation thereof authorized by him, be, in the following cases, entitled to protection from the publication in the other country of any translation of such work not so authorized by him:—1. If the original work shall have been registered and deposited in the one country within three months after its first publication in the other. 2. If the author has notified on the title-page of his work his intention to reserve the right of translating it. 3. Provided always, that at least a part of the authorized translation shall have appeared within a year after the registration and deposit of the original, and that the whole shall have been published within three years after the date of such deposit. 4. And provided that the publication of the translation shall take

place within one of the two countries, and that it shall be registered and deposited according to the provisions of Article 8. With regard to works published in parts, it will be sufficient if the declaration of the author that he reserves the right of translation shall appear in the first part. But with reference to the period of five years limited by this article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in the one country within three months after its first publication in the other.

ART. 4.—The stipulations of the preceding articles shall also be applicable to the representation of dramatic works, and to the performance of musical compositions, in as far as the laws of each of the two countries are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein. In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within three months after the registration and deposit of the original. It is understood that the protection stipulated by the present article is not intended to prohibit fair imitations, or adaptations of dramatic works to the stage of the respective countries, but is only meant to prevent piratical illustrations. The question whether a work is an imitation or a piracy shall in all cases be decided by the courts of justice of the respective countries, according to the laws in force in each.

ART. 5.—Notwithstanding the stipulations of Articles 1 and 2 of the present convention, articles extracted from newspapers or periodicals published in either of the two countries may be re-published or translated in the newspapers or periodicals of the other country, provided the source from whence such articles are taken be acknowledged.

Nevertheless, this permission shall not be construed to authorise the re-publication in one of the two countries, of articles other than those of political discussion, from newspapers or periodicals published in the other country, the authors of which shall have notified in a conspicuous manner in the journal or periodical in which such articles have appeared, that they forbid the re-publication thereof.

ART. 6.—The importation into and the sale in either of the two countries of piratical copies of works which are protected from piracy under articles 1, 2, 3, and 5 of the present convention, are prohibited, whether such piratical copies originate in the country where the work was published, or in any other country.

ART. 7.—In the event of an infraction of the provisions of the foregoing articles, the pirated works or articles shall be seized and destroyed; and the persons who may have committed such infraction shall be liable in each country to the penalties and actions which are or may be prescribed by the laws of that country for such offences, committed in respect of a work or production of home origin.

ART. 8.—Neither authors, nor translators, nor their lawful representatives or assigns, shall be entitled in either country to the protection stipulated by the preceding articles, nor shall copyright be claimable in either country, unless the work shall have been registered in the manner following, that is to say:—1. If the work be one that has first appeared in the dominions of his Sardinian Majesty, it must be registered at the Hall of the Company of Stationers in London (*Stationers' Hall*). 2. If the work be one that has first appeared in the dominions of her Britannic Majesty, it must be registered at the Ministry of the Interior (*Ministero*

dell' Interno) at Turin. No person shall be entitled to such protection as aforesaid, unless he shall have duly complied with the laws and regulations of the respective countries in regard to the work in respect of which such protection may be claimed. With regard to books, maps, and prints, and also with regard to dramatic works and musical compositions (unless such dramatic works and musical compositions shall be in manuscript only), no person shall be entitled to such protection unless he shall have delivered gratuitously, at one or other of the places mentioned above, as the case may be, one copy of the best edition, or in the best state, in order to its being deposited at the place appointed for that purpose in each of the two countries: that is to say, in the dominions of her Britannic Majesty, at the British Museum in London; and in the dominions of his Sardinian Majesty, at the Ministry of the Interior (*Ministero dell' Interno*) at Turin. In every case, the formality of deposit and registration must be fulfilled within three months after the first publication of the work in the other country. With regard to works published in parts, each part shall be treated as a separate work. A certified copy of the entry in the register book of the Company of Stationers in London, shall confer, within the British dominions, the exclusive right of re-publication, until a better right shall have been established by any other party before a court of justice. The certificate given under the laws of the States of his Sardinian Majesty, proving the registration of any work in that country, shall be valid for the same purpose throughout the above-mentioned States. A certificate or certified copy of the registration of any work so registered in either country shall, if required, be delivered at the time of registration; and such certificate shall state the exact date at which the registration was made. The charge for the registration of a single work, under the stipulations of this article, shall not exceed one shilling in England, nor one franc twenty-five centimes in the States of his Sardinian Majesty; and the further charge for a certificate of such registration shall not exceed the sum of five shillings in England, nor six francs and twenty-five centimes in the States of his Sardinian Majesty. The provisions of this article shall not extend to articles which may appear in newspapers or periodicals; which shall be protected from re-publication or translation simply by a notice from the author, as prescribed by Article 5. But if any article or work which has originally appeared in a newspaper or periodical shall afterwards be published in a separate form, it shall then become subject to the stipulations of the present article.

ART. 9.—With regard to any article other than books, prints, maps, and musical publications, in respect to which protection may be claimable under Article 1 of the present convention, it is agreed, that any other mode of registration than that prescribed in the preceding article, which is or may be applicable by law in one of the two countries to any work or article first published in such country, for the purpose of affording protection to copyright in such work or article, shall be extended on equal terms to any similar work or article first published in the other country.

ART. 10.—It is agreed that if by any convention for the protection of copyright in works of literature or of art, greater favours than those stipulated by the present convention should be accorded by either of the high contracting parties to a third power, the same advantages shall be extended to the other party on the same conditions.

ART. 11.—In order to facilitate the execution of the present convention,

the two high contracting parties engage to communicate to each other the laws and regulations which may hereafter be established in their respective territories, with respect to copyright in works or productions protected by the stipulations of the present convention.

ART. 12.—The stipulations of the present convention shall in no way affect the right which each of the two high contracting parties expressly reserves to itself, of controlling or prohibiting, by measures of legislation or of internal police, the sale, circulation, representation, or exhibition of any work or production in regard to which either country may deem it expedient to exercise that right.

ART. 13.—Nothing in this convention shall be construed to affect the right of either of the two high contracting parties to prohibit the importation into its own dominions of such books as, by its internal law, or under engagements with other states, are or may be declared piracies, or infringements of copyright.

ART. 14.—The present convention shall come into operation as soon as possible after the exchange of the ratifications. Due notice shall be given beforehand in each country, by the Government of that country, of the day which may be fixed upon for its coming into operation; and the stipulations of the convention shall apply only to works or articles published after that day. The convention shall continue in force for six years from the day on which it may come into operation; and if neither party shall, twelve months before the expiration of the said period of six years, give notice of its intention to terminate its operation, the convention shall continue in force for a year longer, and so on from year to year, until the expiration of a year's notice from either party for its termination. The high contracting parties, however, reserve to themselves the power of making by common consent, in this convention, any modifications which may not be inconsistent with its spirit and principles, and which experience of its working may show to be desirable.

ART. 15.—The present convention shall be ratified, and the ratifications shall be exchanged at Turin, as soon as may be within three months from the date of signature.

In witness thereof the respective plenipotentiaries have signed the same in duplicate, and have affixed thereto their respective seals.

Done at Turin, on the thirtieth day of November, in the year of our Lord one thousand eight hundred and sixty.

(Signed)

SIR JAMES HUDSON,
CHEVALIER COSTANTINO NIGRA.

ARGENTINE CONFEDERATION.

Convention between her Majesty and the Argentine Confederation, for the Settlement of British Claims, signed at Paraná, August 21, 1858; and Additional Articles thereto, signed at Paraná, August 18, 1859. Ratifications exchanged at Paraná, March 27, 1860.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Excellency the President of the Argentine Confederation and captain-general of its armies, being desirous of agreeing on the means, mode, and form of payment of the debt which the Argentine nation

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acknowledges in favour of British subjects who have suffered losses in the commotions of civil war which have befallen the Republic, losses which the Argentine nation, adopting a healing and generous policy, has consented to recognize; and judging it necessary to establish their agreement in the form of a convention which shall determine the conditions and form of payment, have resolved to name as their plenipotentiaries—her Majesty the Queen of the United Kingdom, William Dougal Christie, Esquire, her minister plenipotentiary to the Argentine Confederation; and his Excellency the President of the Argentine Confederation, the Secretaries of State in the Departments of Foreign Relations and of the Interior, Doctors Don Bernabé Lopez and Don Santiago Derqui; who, after having exchanged their full powers, which they found in good and due form, have agreed on the following articles:—

ART. 1.—The Government of the Argentine Confederation recognizes as a national debt all the sums due to British subjects on claims which shall have been presented on or before the 1st of January, 1860, and which shall have been settled jointly by Commissioners of the Argentine Government for that purpose appointed, and by the minister plenipotentiary of her Britannic Majesty, or his representative.

ART. 2.—The Government of the Argentine Confederation binds itself to pay interest on this debt at the rate of 6 per cent. per annum, from and after the first of October, 1858, and to redeem it by annual instalments, the first of which shall be paid on the 31st of December, 1860, being 1 per cent. of a sum composed of the principal and of the aforesaid interest at the rate of six per cent., computed up to the 31st of December, 1859, and which instalment shall afterwards be increased every year by the amount by which the interest on the portion of the debt remaining unpaid is diminished, so that the whole debt will be redeemed in a period of thirty-four years.

ART. 3.—The Argentine Government will issue for each claim thirty-four coupons, payable to bearer, representing the sums to be paid on the 31st of December of each year, till the total extinction of the debt, and bearing interest at 6 per cent., which interest will be paid half-yearly, viz., on the 30th of June and 31st of December of each year, beginning with the 30th of June, 1860, till the total extinction of the debt.

ART. 4.—The coupons for all claims already settled will be delivered to her Britannic Majesty's legation for the claimants at the time of the exchange of the ratifications of this convention; and those of other claims will be respectively delivered within one month after each has been settled by the Argentine Commissioners of Liquidation and her Britannic Majesty's Minister, or his representative.

ART. 5.—These coupons will be received, from the day of their issue, at the Treasury of the Argentine Government, at par, in payment for public lands; and they will also be received, at par, in the principal custom-houses of the confederation, and, for the present, in those of Mendoza, Rosario, Corrientes, and Gualeguaychú, in payment of customs' dues, after the first of January of the year in which they respectively fall due. The bearer will be credited with the interest on the coupon up to the day on which it is received, either for the purchase of public lands or payment of customs' dues.

ART. 6.—The coupons and interest will always be paid in silver dollars, or in ounces, at the legal value of seventeen dollars to the ounce.

ART. 7.—All the revenues of the Argentine Government are made chargeable for the fulfilment of the present convention.

ART. 8.—Inasmuch as similar conventions are this day signed by the same plenipotentiaries of the Argentine Confederation and plenipotentiaries of France and Sardinia respectively, the Argentine Government agrees to the appointment of a commission, composed of the ministers or chargé d'affaires of Great Britain, France, and Sardinia, and of three members named by the Argentine Government, which shall have for object to endeavour to settle amicably any differences which may arise with regard to any of the three conventions.

ART. 9.—The ratifications of this convention will be exchanged at Paraná within eight months, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Paraná, provisional capital of the Argentine Confederation, on the twenty-first day of August, in the year of our Lord one thousand eight hundred and fifty-eight.

(Signed)

W. D. CHRISTIE,
BERNABE LOPEZ,
SANTIAGO DERQUI.

ADDITIONAL ARTICLES.

In order to determine more clearly some of the stipulations contained in the conventions concluded on the 21st of August, 1858, between their excellencies the ministers plenipotentiary of England and France, and the Chargé d'Affairs of Sardinia, and the ministers plenipotentiary of the Argentine Confederation, and in order to facilitate the carrying out of the same: the undersigned, that is to say, George Fagan, Esquire, her Britannic Majesty's Chargé d'Affaires, subject to the approbation of his Government, and his Excellency Brigadier-General and Senator Don Tomas Guido, in virtue of the full powers conferred on him by his Excellency the Vice-President, have agreed on the following articles:—

ART. 1.—Articles 2 and 9 of the convention of the 21st of August, 1858, and the protocol of the same day, are cancelled, and are replaced by the following additional articles to the said convention, which articles shall have the same force and value as if they had been inserted therein word for word.

ART. 2.—To the principal of each sum awarded as compensation settled and liquidated in accordance with Article 1 of the said convention, interest shall be added in the following proportions:—In the case of claims arising out of destruction and forcible seizure of cattle, destruction of farm property, sequestration of merchandize, thefts, and other losses, fifty per cent. interest in the aggregate shall be paid, however remote may be the date of the acts which gave rise to the claim. In the case of forced loans and other debts whose amount was clearly defined originally, five per cent. per annum shall be paid, calculated from the date of the acts which have occasioned the indemnity, or from the date of their recognition, to the 1st of October, 1859, even although the certificates given on account of the loan may fix the interest at one per cent. per month, or twelve per cent. per annum. In the case of claims arising out of requisitions made, and other debts contracted, during the siege of Buenos Ayres, from the 29th of January, 1853, to the raising of the siege, and in the case of those which may have arisen in other provinces subsequent to the year 1852, five per cent. per annum shall be

paid from the date of the facts to the same date of the 1st of October, 1859. It is understood that none of the claims mentioned in the foregoing paragraph on account of the siege shall include those which are comprised in the arrangements made, or about to be made, between the agents of England and the Government of Buenos Ayres.

ART. 3.—The Government of the Argentine confederation binds itself to pay interest on the debt at the rate of six per cent. per annum from and after the 1st of January, 1860, and to redeem it by annual instalments of one per cent. per annum, the first of which shall be made with the first payment of the said interest of six per cent. on the 31st of December, 1860; and from the 31st of December, 1860, the amount of these instalments shall be augmented every year in proportion as the part of the interest which remains to be paid is diminished, so that the whole of the debt shall be redeemed in a period of thirty-four years, according to the calculation in the table annexed to the convention.

ART. 4.—Every debt of which the principal, with the interest liquidated on the basis herein laid down, shall not exceed the sum of one thousand dollars, shall be wholly paid off in two equal payments, to be made on the 31st of December, 1860, and on the 31st of December, 1861, without being subject to the terms and conditions of the preceding article.

ART. 5.—In case the government of the confederation should wish to pay off the whole or a part of the indemnities awarded by the present convention, the amount of the principal owed shall be accepted as payment in advance.

ART. 6.—No claim of the nature of those considered in the preamble of the convention of the 21st of August, 1858, shall be presented after the 31st of December, 1860. This term shall not be extended.

ART. 7.—The ratifications of this convention shall be exchanged in Paraná, within the space of eight months, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done in Paraná, provisional capital of the Argentine Confederation, on the eighteenth day of August, in the year of our Lord one thousand eight hundred and fifty-nine.

(Signed)

GEORGE FAGAN,
TOMAS GUIDO.

FLOGGING (NAVY.)

Return of the Number of persons flogged in the Navy in the Year 1859, specifying the name of the Ships, the Offence, the Sentence, and the number of Lashes inflicted on each Person; stating whether by order of Court Martial or the Commanding Officer. (Mr. Williams.) 19th February, 1861. (39.)

DURING the year 1859 there were 951 punishments, and 30,329 lashes inflicted. 784 lashes were inflicted by sentence of court martial. The highest number of lashes was 50, the lowest number 6. Amongst others, there were 59 cases of drunkenness, 112 cases of insubordination, 93 cases of theft, and 37 cases of desertion.

POOR LAW, ENGLAND.

Thirteenth Annual Report of the Poor Law Board of England and Wales for 1860-61.

WE stated in our last report that since the Poor Law Amendment Act came into operation the sum annually expended for "relief to the poor" has very largely decreased, and that this expenditure is in a diminishing ratio when compared with the population and wealth of the country.

We adverted to the following facts in support of this statement:—The Poor Law Amendment Act came into operation in the autumn of 1834. During the twenty-two years preceding, that is, from 1813 to 1834, the aggregate sum expended for the relief of the poor in England and Wales was 143,110,817*l.*, a sum equivalent to an annual average disbursement of 6,505,037*l.* In the subsequent twenty-five years, that is, from 1835 to 1859, the aggregate sum expended was 129,226,833*l.*, a sum equivalent to an annual average expenditure of 5,169,073*l.* Hence, during a quarter of a century there has been an average annual decrease of 1,335,964*l.*, and a total decrease during the twenty-five years of 33,399,100*l.* This saving has been effected notwithstanding the heavy additional burdens which have been imposed upon the poor rates, and charged in the item "relief to the poor, since 1834. Two of these burdens, the cost of the new union work-houses and the salaries of the paid union officers, have not averaged less than 800,000*l.* a year; 200,000*l.* a year for the former, and 600,000*l.* for the latter; being a total amount of 20,000,000*l.* for the two charges together during the twenty-five years in question. The diminution of the law charges, and of the expenses of the removal of paupers, since 1834, has been a marked feature in the recent administration of the poor law. In the years 1833 and 1834 these expenses averaged 256,508*l.* per annum; in the four following years they averaged 148,973*l.* In subsequent years these items declined still more; and according to the latest returns, namely, those of 1857, the amount was only 80,733*l.*, or less than *one-third* of the average expenditure of 1833 and 1834.

We desire now to submit, as in former reports, statements showing the condition of pauperism during the past year. The sum of 5,454,964*l.* was expended for the relief of the poor during the year which ended the 25th of March, 1860, against 5,558,689*l.* in the year ended Lady day, 1859; being a decrease of 103,725*l.*: the rate per head on estimated population being 5*l.* 6*s.*, against 5*l.* 8*s.* 4*d.*, whilst the average of the last twenty-five years, from 1835 to 1860, was 6*s.* 1½*d.**

The following statements show the amount expended for relief only, in 646 unions and parishes under boards of guardians (comprising a population of 17,672,609, census 1851), and afford the means of comparing the expenditure under that head for the years ending respectively on the 29th of September, 1859 and 1860, as well as those ending on the 25th of March of the same years:—In the year ended Michaelmas, 1860, there was spent 956,454*l.* for in-maintenance; 2,852,108*l.* for out-relief: total, 3,808,562*l.*, against a total of the preceding year of 3,741,944*l.*, or an increase of 1·8 per cent.

* The net annual value of rateable property in 1841 was 62,540,030*l.*; in 1847 it was 67,320,587*l.*; in 1850 it was 67,700,153*l.*; and in 1856 it was 71,840,271*l.* The gross estimated rental for 1856 was 86,077,676*l.*

The amount expended for in-maintenance and out-door relief to irremovable paupers during the year ended at Lady day, 1860, was 780,497*l.*, or 23·58 per cent. of the whole cost.

The numbers of paupers of all classes in receipt of relief on the 1st day of July, 1860, and the 1st day of January, 1861, respectively, in the several unions and parishes under boards of guardians, were stated to be as follows:—On the 1st of July, 1860, there were in all 817,573 paupers of all classes; of whom 32,150 were insane, and 1,737 vagrants, including 123,572 able-bodied. On the 1st of January, 1861, there were in all 891,860 persons receiving relief, including 150,526 able-bodied, showing an increase of 10 per cent. in the number on the previous year.

The persons in receipt of relief in certain parishes incorporated under Gilbert's Act, or in single parishes still under 43rd Elizabeth (the population of such parishes being about 250,000), are not included in the summaries given in this and the preceding page, no returns having been received from them. We have, therefore, made an estimate of the numbers in receipt of relief in the places not included in the above summaries; and for the purpose of showing the average numbers *at one time* in receipt of relief during the whole year, we have taken the mean of the numbers in receipt of relief on the 1st of July and the 1st of January respectively. The result of this estimate for each year from 1849 (being the first year for which it can be given) to 1860 appears in the following table, which may be taken as exhibiting the pauperism of England and Wales:—

Years ended at Lady-day.	Population of England and Wales.	The Mean Number of Paupers of all Classes (including Children) at one time in receipt of Relief in England and Wales.			Ratio per Cent. of Paupers relieved on the Population.	The Mean Number of Adult Able-bodied Paupers (exclusive of Vagrants) at one time in receipt of Relief in England and Wales.			Ratio per Cent. of Adult Able-bodied Paupers on the Total Number of Paupers of all Classes relieved.	Average Price of Wheat per Quarter.
		Indoor.	Outdoor.	Total.		Indoor.	Outdoor.	Total.		
1849	17,534,000	133,513	955,146	1,088,659	6·2	26,558	202,265	228,823	21·0	49 1
1850	17,765,000	123,004	885,696	1,008,700	5·7	24,095	167,815	191,910	19·0	42 7
1851*	17,927,609	114,367	826,948	941,315	5·3	20,876	142,248	163,124	17·3	39 11
1852	18,205,000	111,323	804,352	915,675	5·0	18,455	130,705	149,160	16·3	35 4
1853	18,402,000	110,148	776,214	886,362	4·8	17,649	121,996	139,645	15·7	42 0
1854	18,617,000	111,635	752,982	864,617	4·6	18,237	116,554	135,191	15·6	61 7
1855	18,840,000	121,400	776,286	897,686	4·8	20,669	125,962	146,631	16·3	70 0
1856	19,043,000	124,879	792,205	917,084	4·8	21,359	122,869	144,228	16·8	75 4
1857	19,207,000	122,845	762,165	885,010	4·6	19,660	120,415	140,075	15·8	68 3
1858	19,444,000	122,613	786,273	908,886	4·7	19,931	123,838	143,769	16·9	52 9½
1859	19,578,000	121,222	744,214	865,436	4·4	18,209	117,575	135,784	15·7	42 9½
1860	19,837,000	113,507	731,196	844,633	4·3	16,268	115,853	132,120	15·6	44 9

* The Population for 1851 is that given in the Census; that for the other years is estimated.

The decrease in the average number of paupers of all classes in receipt of relief at one time in 1860, as compared with 1849, is 22·4 per cent.; and as regards able-bodied paupers the decrease in 1860, as compared with 1849, is 42·3.

It appears that there was a large number of able-bodied paupers relieved out of the workhouse. In 629 unions returns are made to the board according to the form prescribed by the general order for keeping accounts, which reckons the children of able-bodied paupers residing with them in the number of the able-bodied. In these unions it appears that there were on the 1st of January, 1861, 335,566 out-door able-bodied paupers, of whom 30,903 only were adult males, 89,672 females, 214,991 children under 16. The proportionate numbers, therefore, may be taken as one

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adult man, *three* adult women, and *seven* children under 16 years of age. Of the 30,903 adult males, it will be observed that 27,066 were relieved on account of *sickness, accident, or infirmity*; and that 3,669 were relieved on account of the want of work and other causes; and only 168 on account of sudden and urgent necessity. The causes which brought these 335,566 cases upon the rates are as follows:—174,464 from widowhood; 93,313 were families dependent on males either sick, out of work, or under urgent necessity; 27,066 were suffering from sickness, accident, or infirmity; 15,002 were women and children, having their husbands and fathers non-resident, 6,477 having such in gaol; 5,708 were cases of bastardy; 4,308 had their husbands in the army or navy; 5,391 were single women without children; 3,669 were in want of work, and 168 were suffering from urgent necessity. In the metropolitan districts there was an increase in the Christmas quarter of 3·90 per cent.

We believe that the agricultural, manufacturing, and commercial interests may be considered to have been generally in a prosperous state during the past year, and that the working classes have obtained, except in a few instances, the usual amount of employment. In some branches of trade, however, a serious depression has occurred. In Coventry, Foleshill, and other neighbouring towns, where the ribbon trade is principally carried on, great distress has unfortunately prevailed for several months, occasioned mainly by a change of fashion (which has diminished the consumption of ribbons), by the lateness of the spring, and the long-continued wet weather throughout the summer. At the same time a strike of long continuance during the autumn among the silk weavers tended greatly to increase the distress of the labouring classes. The failures in the leather trade have seriously affected the persons employed in the manufacture of boots and shoes in Norwich, Bermondsey, and other places. In Nottingham, also, there has been a serious depression in trade, and consequently much distress. It began early in the autumn, and was occasioned, we believe, in a great measure by the unsettled state of Europe, and subsequently of the United States of America, which led to a considerable diminution in the orders for the goods manufactured there. The difficulties, we regret to add, have been enhanced there also by a strike among the workmen.

The distress already prevailing in some districts, was during the winter greatly aggravated and increased by a frost of unusual severity and duration, which set in on the 17th of December, and, with two slight intermissions, lasted till the 19th of January. It was accompanied in several parts of the country with a deep fall of snow; and its effect was necessarily to suspend many of the operations of agriculture, to impede or entirely prevent the navigation of the rivers and canals, and to put an end for the time to several out-door trades and occupations. A commercial convulsion or serious failure of trade not only throws the working classes immediately out of work, but impairs the funds to which they must trust for future employment. If the crisis be of long duration the recovery from it is uncertain, and, in point of time, generally speaking, very gradual. It is obvious, however, that the occurrence of a severe frost, of which the duration in this country is seldom long, only suspends for a time the means of employment, and does not actually diminish the amount of work to be done. The labour in the fields, which has been interrupted, must be resumed and completed as soon as the thaw comes; the goods which have been detained in their transit on the canal or river must, when the ice

breaks up, be conveyed to their destination; the vessels which the east wind has kept out of port will arrive in greater number with the change of weather; the buildings left unfinished must be completed. In short, on all hands arrears of work will have accumulated, and the labourer will be compensated for the temporary cessation of employment by the activity and demand for his services which will succeed. It is, therefore, only required that the labourer should be enabled, either by the terms on which he is hired or by means of resources which his own foresight and thrift may have provided, to pass without serious difficulty or suffering through the short interval of the suspension of work. His average amount of employment, and consequently his average earnings, ought not to be materially affected.

With reference to the actual administration of relief during the late winter it is satisfactory to us to state, that out of 628 unions we have received applications for a relaxation of the general orders relating to the relief of able-bodied men, or for our sanction to a departure from the provisions of such orders, from only 98, being less than one-sixth of the whole number. From a large proportion of these also the relaxation sought has been for a few special cases only. In the great mass of the rural unions there has been no serious pressure, and no material increase in relief has occurred. The workhouses, with some exceptions, have not been filled, and the guardians have had no difficulty in adhering strictly to the provisions of the general prohibitory order. We think it may hence be concluded that, generally throughout the agricultural districts, the employers of labour have been able to find work for their labourers, and to continue them in their service during the late inclement winter. In some parts of the metropolis, and in other towns, and in some unions in the neighbourhood of towns, the pressure has been more severe, in consequence of the population including a large number of labourers having no permanent employment, and being engaged in trades or occupations which were entirely stopped by the frost, such as bricklayers and others connected with the building trade, market gardeners, labourers at the docks, fishermen, and those employed in the navigation of the rivers and canals. In the metropolis, where there is always a large mass of such labourers congregated, the usual number was probably materially increased by the extensive works connected with the drainage of the metropolis and with railways in its immediate neighbourhood, which are now going on. Even here, however, the distress was partial only. It may also be observed, that generally the demands for relief did not very largely increase until the frost had continued for about a fortnight; showing that the labourers were not under the necessity of applying for relief on the immediate cessation of their employment, but were enabled for a time to provide for themselves from their own resources.

We need not insist on the importance of relief being so administered as to encourage and foster habits of prudence, foresight, and self-reliance on the part of the working classes. We deprecate, in the strongest manner, any system of indiscriminate relief as being unjust towards the ratepayers, and calculated both to encourage imposture, and to diminish the means of providing for the wants of the really necessitous, by the misapplication of the funds intended for their relief. There can be no doubt, however, that when through a long continued frost, or from any other circumstances the actual means of the labourers are exhausted, or even if through impro-

vidence they become entirely destitute on the immediate failure of their usual employment, it is the duty of those charged with the administration of relief to provide them with sufficient means of support. Neither can it be doubted that during the late severe weather extensive distress prevailed, and a serious emergency had arisen requiring prompt measures to meet it, and energy on the part of those who were charged with the duty of providing relief. It remains to consider how far the present arrangements of the poor laws are adequate to such an emergency.

The administration of relief to able-bodied men is regulated in rural districts by the general order of the board, which prohibits, unless in exceptional cases, out-relief to able-bodied men; and also in a large number of the same unions by a supplemental order, which provides that when out-relief is granted to able-bodied men, they shall be set to work in return for the relief. In the metropolis and in the manufacturing districts the former order is not in force; but the out-door relief regulation order, which was issued in 1852, requires that able-bodied men shall, if allowed out-relief, be set to work by the guardians, and that the relief afforded to them shall be given half in kind. All these orders contain a provision that, if the guardians find it necessary to depart from the regulations of the order, the relief, if reported to the board and approved by them, shall not be deemed unlawful. We are of opinion that these orders sufficiently provide for any cases of emergency, and that there is no foundation for the allegation that the stringency of the regulations was such as to prevent the administration of adequate relief under the circumstances which have recently occurred. We have received several communications from the unions where the pressure chiefly existed, applying either for a relaxation of the orders above referred to, or for advice as to the course which the guardians should take under the emergency. We saw no reason, in consequence of a pressure which could not be of long duration, and which a change of weather might at any moment put an end to, to suspend the operation of the general orders. We could only advise that where sufficient workhouse accommodation was available it should be made use of as far as practicable; that when it was found necessary to give out-relief to able-bodied men, it should if possible be accompanied with a task of work; and that when the orders could not be strictly adhered to, the cases in which the guardians departed from them should be reported to us, under the provisions of the orders, for our sanction.

We have caused the lists of lunatics, idiots, and other persons of unsound mind chargeable to the poor rates on the 1st January, 1860, to be tabulated. It appears from these that in 646 unions and single parishes under boards of guardians, there were 31,543 insane paupers, of whom 22,378 were lunatics, and 9,165 idiots. The whole number of paupers, inclusive of the insane, was on the same day 850,896. In regard to the sexes, it will be seen that 13,896 were males, and 17,647 females. These paupers were maintained in the following establishments, or were lodged with strangers, or resided with their relatives, viz.:—16,201 in county or borough lunatic asylums; 1,143 in registered hospitals, or in licensed houses; 8,210 in union or parish workhouses; 785 in lodgings, or boarded out; 5,204 residing with relatives.

The average number of children attending workhouse schools in England and Wales, as well as the number attending district schools, during the half-year ended at Lady-day 1860, was as follows:—In the workhouse

schools there were, on Lady day, 1860, 14,344 boys, and 13,761 girls; and in district schools, 1,370 boys, and 1,179 girls: total, 30,654 children. And the amount paid by the board of guardians for the salaries of teachers for the same was 31,231*l.* 2*s.* 9*d.*, and also the amount of money paid in each case, from the parliamentary grant, in respect of the salaries of teachers for the year ended at the same period.

We have adverted in previous reports to the legal and practical difficulties in the way of the general organization of school districts under the provisions of 7 and 8 Vict. c. 101. s. 40, and 11 and 12 Vict. c. 82, s. 1. No additional school districts have been formed during the past year. Some further progress has, however, been made in the establishment of separate schools for large unions or single parishes. The school for the important parish of St. Marylebone, the building of which had been commenced at the date of our report for the year 1858, has since been completed, and is now in active operation. The removal of the children from the crowded workhouse of that parish to an establishment situated in a more open and healthy locality, will not only prove, as we hope, highly beneficial to them, but will render practicable an improvement in the accommodation and classification of the workhouse itself. The guardians of the Sheffield union since completing the alterations of their workhouse have made considerable improvements in the building at Pitsmoor, which has been occupied for some time by the pauper children of that union, and which we believe will be an efficient and useful establishment. The guardians of the hamlet of Mile End Old Town, in addition to a large and commodious workhouse, have provided an entirely distinct school for their children. Although some difficulties may occasionally arise in the management of separate establishments for children, their maintenance and education in schools removed from the associations of a workhouse are so manifestly advantageous, that it appears highly desirable to promote the formation of such schools in all practicable cases.

The increased population and importance of the port of Birkenhead and its neighbourhood having very materially altered the condition of the Wirral union, in Cheshire, we have deemed it expedient to divide that union into two parts, and to constitute a new union, which we have designated the Birkenhead union. The order constituting this union came into operation upon the 25th March, 1861. We have also formed two unions in the West Riding of Yorkshire out of some parishes and townships hitherto ununited, and others which, it was supposed, formed part of some of the Gilbert unions in that county; but which, according to a decision of the Court of Queen's Bench lately pronounced, were held not to be legally united with those incorporations. One of these unions is termed the Wetherby union, having the town of that name for its centre; the other is designated the Warfedale union, being composed of townships mostly situated in the valley of the river Wharfe.

The number of persons vaccinated during the present year has been 494,942, being an increase upon the number vaccinated in the last year of 39,593. The number of cases in which the vaccination has been successful is 485,927, which is an increase of 40,907 upon the number successfully vaccinated in 1859.

We have affixed our seal to the plans of new workhouses for the following unions: viz., Beverley for 130 inmates, Blackburn 700, Gower 50, Hartlepool 200, Huddersfield 150 (adults), and Sedgefield 60 inmates; and

to plans of school-houses for the parish of Saint Pancras for 400 children, and for the Sheffield union for 160 children; and also to plans for the enlargement or improvement of the workhouses of the following unions; viz., Bradfield, Chelsea (parish), Chorlton, Crickhowell, Downham, East Retford, Kensington (parish), Louth, Newmarket, Poole, Portsea Island, Runcorn, Salford, Settle, Solihull, South Shields, Stoke-upon-Trent (parish), Tynemouth, West Bromwich, Whitby, and Windsor; also to plans for altering and improving the Brighton school-house, the Manchester school-house (at Swinton), and the school-house of the Reading and Wokingham School District (at Wargrave); and likewise to plans of new board-room offices for the parish of Rotherhithe and for the York union.

The Act of the previous session, 22 and 23 Vict. c. 49, provided by a retrospective clause for the payment of outstanding claims against boards of guardians within a limited period, and as to such as had been incurred beyond the period of two years prior to the date of the Act, empowered this board to authorise the payment of such claims by the guardians. Where any ratepayer should impugn the propriety of the claim, the board were required by the terms of that clause to institute an open and public investigation, so that the board might be satisfied that no fraud, collusion, or neglect of the general rules of the board, respecting the contraction or discharge of the debt or claim, had been committed by the claimant. We have issued 20 orders under this provision, which applied to 94 debts or claims, but in only one case was a public investigation required. That application was made in reference to the debts of the City of London union, and an open inquiry which lasted several days was held before our metropolitan inspector. No charge of any improper conduct was established, and we gave our consent to the liquidation of the debts by five annual instalments. The return of the orders issued by the board under this Act, as required by the clause here referred to, was presented to the House of Commons on the 21st August last, and has since been printed. The first clause of that act, which requires the boards of guardians to pay all their debts within three months after the expiration of the half year in which they have been incurred, has been generally observed; but occasionally we have been called upon to extend the period to the limit of twelve months, according to the authority conferred upon us by the act.

In our last report we set forth in considerable detail the nature of the legal and judicial functions exercised by the board, and among them we referred to our jurisdiction in regard to appeals against the decisions of auditors. This branch of administration continues to require a considerable portion of the time of the board, and has attracted much public attention, and elicited some criticism. Complaints are made of the frivolous nature of the disallowances, and the annoyances which are caused to individuals filling gratuitous offices by being exposed to the surcharges imposed by auditors. Our experience enables us to state that, though the amounts which are disallowed are often small in amount, they generally involve some question of principle, or some practice of general application; so that a decision respecting a very small sum may affect many hundreds of pounds, or may alter the course adopted by boards of guardians or their officers in administering relief over a large district. If the decision of the auditor be erroneous, and, like every other judicial authority, he may occasionally err, his decision can be set aside: if he be legally right, the power conferred on the board to remit his surcharge or disallowance frees the party from any

pecuniary responsibility. The course which has been laid down by the board to guide them in the exercise of their functions in these cases is to satisfy themselves that the party making or authorizing the payment, fairly and reasonably believed it to be a legal payment. The board invariably give to the applicant credit for such belief, unless it be shown that by previous decisions, fully and carefully considered and confirmed, the illegality and impropriety of the payment must have been known to the applicant. When this is the case, the board consider that they are not justified in disturbing the auditor's decision. We admit that when a vigilant auditor succeeds to a lax or less accurate one, and when auditors alter the practice of their predecessors, the guardians or officers who have to render account may find themselves unexpectedly placed in a difficulty in respect of certain payments, which they did not anticipate. Under such circumstances we believe, however, that a strict and proper audit, though it may cause a momentary dissatisfaction, must effect a permanent benefit. In these appeals no expense is incurred by the applicant, as the board conduct the inquiries by correspondence, and only require such statements of facts as can readily be supplied by the applicant or the officers of the union or parish. It has been proposed that the decision of the appeals should be transferred to the county courts, or the justices in their petty sessions. In reference to that proposal we have to observe that neither of those tribunals is so conversant with the rules, orders, and regulations effecting the administration of the law as the Poor Law Board necessarily is; and that the delay and expense which would attend proceedings before any tribunal which might be substituted for the board is also worthy of consideration.

In the last session of Parliament two Acts were passed, which require to be noticed by us. The first is the 23 & 24 Vict. c. 101. This statute continues the powers of this board, which would have expired at the end of the session, for three years, until the 23rd of July, 1863. When the bill was in the House of Commons, her Majesty's Government gave their assent to a proposal which was made that there should be a committee of that House to inquire into the working of the poor law under the supervision of the board. Accordingly, upon the motion of the president, at the commencement of this session, a committee has been appointed to inquire into the administration of the relief of the poor under the orders, rules, and regulations issued by the poor law commissioners and the poor law board pursuant to the provisions of the Poor Law Amendment Acts, and into the operation of the laws relating to the relief of the poor. The committee has sat some time, and has been engaged in the examination of witnesses.

The other Act is the 23 & 24 Vict. c. 77, which amends the previous Acts for the removal of nuisances, by establishing the boards of guardians to be the local authorities in unions and parishes to carry into execution the provisions of that Act in places where there exists no other local authority of a corporate or collective character. We deemed it advisable to communicate a short summary of this statute in a circular letter addressed to all boards of guardians. Many boards of guardians have taken this matter into their consideration, and appointed inspectors of nuisances for the parishes in their districts. Some question has arisen in regard to the mode in which the salary of this officer should be charged; and as the statute is silent upon the point, we have advised the guardians to refer to the number of tenements or to the extent of the population in the respective parishes in

every district, and apportion the salary accordingly. It appeared to us that in this manner the charge would be imposed in the nearest proportion to the probable demand for the services of the officer.

The select committee of the House of Commons which was appointed in 1858 to report upon the operation of the Act 9 & 10 Vict. c. 66, relating to the removal of the poor, and the Acts 10 & 11 Vict. c. 110, and 11 & 12 Vict. c. 110, whereby the relief of irremovable poor has been charged upon the common fund in unions, and which was renewed in 1859, was again appointed in the spring of last year. These committees examined a great many witnesses in reference to the several matters referred to them, and particularly in regard to the removal of paupers from England to Ireland, and passed various resolutions which they reported to the House. They recommended the reduction of the period of residence from five years to three, and that the area of the residence should be extended from the parish to the union, that a special provision should be made in reference to orphan children, and that the charge of the maintenance of all lunatic paupers in asylums should be borne by the common fund, and that the contributions of parishes to that fund should be henceforth calculated upon a different basis. They also passed certain resolutions framed to mitigate the hardships to which poor persons are sometimes exposed who are ordered to be removed from England to Ireland. Two bills have been introduced into the House of Commons during the present session, for the purpose of submitting these proposals, slightly modified, to the deliberation of Parliament.

The president of the board also submitted to the House of Commons last session a bill for providing superannuation allowances to poor law officers by boards of guardians; but the session closed before the decision of Parliament could be obtained upon it, and the subject is one which will probably be considered by the committee now sitting upon the general subject of the operation of the poor laws above referred to.

It is also proper to notice the introduction in the same session of a bill by Mr. Pigott, lately member for Reading, having for its object to provide a better remuneration of medical officers of unions and parishes, and a different administration of medical relief to the poor. The bill, however, was opposed in so many quarters, and received so little support, that Mr. Pigott withdrew it before it was read a second time.

POOR LAW, SCOTLAND.

Sixteenth Annual Report of the Board of Supervision for the Relief of the Poor in Scotland for the years 1860-61.

THE great and progressive increase in the number of poor-houses, and the unsatisfactory condition of many parochial lodging-houses for paupers, made it necessary that these establishments should be subjected to more frequent inspection by an officer of judgment and experience, on whose reports we could rely—who could not only point out to the local authorities anything that might be defective in their arrangements and proceedings, with reference to those houses, but who was also capable of suggesting the appropriate remedy, and explaining whatever might have been found beneficial elsewhere. Having represented these views to the Secretary of

State, and recommended Mr. Peterkin, the visiting officer of the board, as the person best qualified to perform those duties, we were authorized to complete the proposed arrangement. The visiting officer was, therefore, relieved of all the duties which he had hitherto performed in the office of the board, and was left free to be occupied exclusively in visiting and in examining poorhouses and lodging-houses. We anticipate much advantage from the supervision which he will thus be enabled to exercise.

We have investigated allegations, involving charges more or less serious, against thirty-five inspectors of poor; and we regret that we have been under the necessity of dismissing four and suspending one of those officers, for neglect or failure to perform their duties. Five others, whose conduct was under investigation, were permitted by us to resign their offices; and we have censured or admonished nine inspectors, whose errors were not of so grave a character as to call for suspension or dismissal. We have had the satisfaction of acquitting fifteen inspectors of the charges which were brought against them. The allegations against one inspector were withdrawn; and, at the earnest request of his parochial board, we permitted one of those officers whom we had dismissed to be reinstated, on the understanding that the parochial board should provide him with the aid of an assistant inspector, and that he should be considered as holding office on probation for twelve months. We have also been compelled to dismiss the medical officer of a parochial board, on the ground of his unfitness to discharge the duties of his office.

Having received a petition complaining of the proceedings of the parochial board of Edinburgh regarding the religious instruction of the children of Roman Catholic parents, we communicated with the parochial board on the subject; and not being satisfied with the explanations given by that body, we considered it our duty to have the allegations contained in the petition judicially investigated by a competent commissioner. With the concurrence of the Lord Advocate, we named Mr. George Ross, an advocate of high character and eminence at the bar, a commissioner, in terms of the statute 8 and 9 Vict., c. 83, to examine into the matter.

A question was raised as to whether persons who are not assessed for poor-rates are eligible by kirk sessions as their representatives in the parochial boards of burghal parishes and combinations. Having taken the opinion of counsel, we were advised that such persons are eligible by the kirk sessions in burghal parishes and combinations.

Our advice having been requested by more than one inspector, for his own guidance and that of the parochial board, in dealing with cases of paupers who obstinately persisted in continuing to reside in dwellings so ruinous as to be dangerous, and refused to remove to other suitable lodging provided by the parochial board, we instructed the inspectors to apply to their respective sheriffs for warrants to remove the paupers, on the ground of danger to life incurred by their remaining in their ruinous dwellings, and, at the same time, to explain to the sheriffs the arrangements which the parochial boards had made for the accommodation elsewhere of those paupers.

Since the date of our last report three parishes, which had previously raised the funds for the relief of the poor by voluntary contributions, have resolved to raise those funds by assessment. The number of parishes now assessed is 752, and the number that still raise the funds by voluntary contributions is 131. The parochial boards of six parishes have resolved to

change the mode of assessment or of classification formerly adopted. In four of these we have sanctioned the proposed change, and in two we have refused to do so. Of the parishes in which we have sanctioned a change, one has adopted the first mode with a classification instead of the second mode, one has adopted the first mode with a classification instead of the third mode, and in two parishes the alteration approved of has related to the classification formerly adopted.

An investigation into the administration of the poor-laws in the county of Orkney and Shetland, which, as stated in our last report, we had considered it desirable to institute, was completed by Mr. Briscoe during the summer of 1860, when he visited every parish in those two groups of islands. From his report, it appeared that the ancient and primitive mode of providing for the poor, which was still maintained in Shetland, had become ineffectual or precarious in its operation—that the relief afforded to paupers was in many cases altogether inadequate, and that there is no longer any sufficient reason why the laws for the relief and management of the poor which are recognised and acted upon in all other parts of Scotland, should not be carried into effect in those islands. We were therefore of opinion that the parochial boards ought to be required to give effect to the provisions of the statutes; but as a change so considerable, if suddenly enforced, would have caused confusion and evil, we considered it expedient to intimate to the parochial boards the necessity of preparing for this change, which could not long be postponed. In the meantime, we must hold the parochial boards responsible that no one will be allowed to suffer from want of the necessities of life.

In the 883 parishes and combinations into which Scotland is now divided, the funds for the relief of the poor are raised in the following manner:—

1st mode, with classification, 149; first mode, without classification, 549; 2nd mode, 8; 3rd mode, 17; according to established usage, 29; assessed parishes, 752; by voluntary contributions, 131: total, 883. We have increased the number of members to be elected to the parochial board of Alva from three to five. The number of parishes that have poorhouses, either singly or in combination, is 188, having an aggregate population of 1,301,666. In the 39 poorhouses at present in operation, the existing accommodation was reported in July to be sufficient for 11,688 inmates. When the poorhouses which are in progress, or the erection of which has been resolved on, are completed, the number of parishes having poorhouses, singly, or in combination, will be 250, with an aggregate population of 1,517,094. We have, during the past year, approved of the rates for boarding paupers belonging to 23 additional parishes, in those poorhouses of other parishes or combinations to which it appeared to us that they might most advantageously be sent. The number of parishes that have acquired a right, in terms of the 65th section of the statute, to send paupers to the poorhouses belonging to other parishes, is 233, with an aggregate population of 766,319; but some of these parishes are embraced in combinations for proposed poorhouses, or propose to have poorhouses of their own. The population of the parishes to which poorhouse accommodation is available, amounts to 2,067,985.

We have sanctioned the occupation of the Kyle, Black Isle, and Galashiels combination poorhouses, and of the Forfar and Perth poorhouses; and we have approved of the resolution of the parochial board of Old Monk-

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land to erect a poorhouse for that parish. We have also given our concurrence to the combination of seven parishes, in the county of Haddington, with Inveresk, for the purpose of erecting a common poorhouse at Inveresk, in the county of Edinburgh; and we have approved of the parish of Caputh being joined to the Athol and Breadalbane (formerly named the Weem) combination. The aggregate population of the above ten parishes, including Inveresk (which had formerly resolved to erect a poorhouse), is 49,690.

We have approved of the site for the poorhouse of Old Monkland, as well as of the plans for that and for the Forfar and the Inveresk combination poorhouses; and we have approved of the plans of alterations of, or additions to, the poorhouses of Dunfermline, Paisley, Campbelton, New Monkland, Barony, St. Cuthberts, Dundee, Glasgow, and Thurso combination. A difference of opinion having arisen in a house committee as to the admission to the poorhouse of a pauper suffering from a disease considered infectious or contagious, we intimated that in the case of a pauper whose admission to the poorhouse may, on good grounds, be considered dangerous to the other inmates, unless the sick person can be so isolated as to preclude all risk of the propagation of the disease, it must be left to the discretion of the house committee to determine, with reference to the circumstances of each case, and the accommodation available at the time, whether or not such a person shall be received into the house.

Application was made to us for permission to nominate the assistant inspector of a parish to the office of house governor of the poorhouse, retaining also his present office. We intimated that the duties of a house governor require his almost constant presence in the poorhouse, which is incompatible with the efficient performance of the duties of assistant inspector, of which visiting and attending to the out-door poor is an important part, and that we could not therefore approve of the proposed arrangement.

We have completed the arrangements for the distribution of the thirteenth parliamentary grant of 10,000*l.* in aid of medical relief to the poor in Scotland. The number of parishes which have resolved to comply with the conditions annexed to participation in the grant, is 671; but of these only 659 have established their claims by producing vouchers for the required amount of expenditure from their own funds, and otherwise satisfying us that the conditions of the grant had been fulfilled. Last year 649 parishes established their claims; the increase in the number actually participating this year is therefore ten.

The whole sum expended on medical relief to the poor during the year ended 14th May, 1861, according to the annual returns of the inspectors, was 26,908*l.* 13*s.* 6½*d.*, which is equal to 2·30 pence per head of the population of Scotland in 1851. The population of the 671 parishes and combinations that have resolved to comply with the conditions annexed to participation in the grant, is 2,545,218; and of the 212 parishes that have not so resolved, 343,524. The sum expended by the former, according to the returns, was 25,162*l.* 13*s.*, equal to about 2·37 pence per head of the population; and that by the latter was 1,746*l.* 0*s.* 6*d.*, equal to about 1·21 pence per head of the population of those parishes.

The number of applications complaining of inadequate relief that have been before us during the year ended 30th June, 1861, has been 487. In the immediately preceding year the number was 542.

The sum expended for the relief and management of the poor during the

year ended 14th May, 1861 (including 4,979*l.* 6*s.* 4*d.* expended on buildings not being authorized poorhouses, and 20,968*l.* 15*s.* expended on authorized poorhouse buildings), has been 683,901*l.* 17*s.* 0½*d.* In the preceding year the expenditure for the same purposes was 663,277*l.* 0*s.* 5½*d.*; there has, therefore, been an increase in the expenditure of 20,624*l.* 16*s.* 7*d.*

According to the annual value of property returned in 1856, the rate per cent. for the last six years would be as follows:—Year ended 14th May, 1856, 5*l.* 7*s.* 6½*d.*; 1857, 5*l.* 8*s.* 9*d.*; 1858, 5*l.* 9*s.* 6½*d.*; 1859, 5*l.* 12*s.* 4½*d.*; 1860, 5*l.* 13*s.* 4½*d.*; 1861, 5*l.* 16*s.* 10½*d.*

The rate per cent. on the annual value of real property, as estimated for 1859, would be 5*l.* 6*s.* 1½*d.*, or 1*s.* 5½*d.* per cent. less than in 1856, when similar returns were available.

The total sum expended under the heads of relief to the poor on the roll, or registered, and to the casual poor, for the last ten years, was:—

For the year ending	Expended on Relief of Registered and Casual Poor.			Increase.		Decrease.		Average allowance to each Pauper on Roll, or Registered.
	£	s.	d.	£	s.	£	s.	£
14th May, 1852	427,941	0	6½	...	...	2,195	7	4
Do. 1853	435,249	14	8	7,308	14	...	...	4
Do. 1854	453,094	18	3½	17,845	3	...	...	4
Do. 1855	488,599	16	8½	35,504	18	...	...	4
Do. 1856	508,878	10	2½	20,278	13	...	...	4
Do. 1857	512,988	0	9	4,109	10	...	...	4
Do. 1858	524,212	15	11½	11,224	15	...	...	4
Do. 1859	538,503	10	6½	14,290	14	...	...	5
Do. 1860	540,765	6	10½	2,261	16	...	...	5
Do. 1861	555,352	8	7	14,587	1	...	...	5
Average ...	498,558	12	3½	12,521	12	...	...	4

There is thus an increase in the average allowance to each pauper on the roll, or registered, and relieved in the course of the year, of 10½*d.*, as compared with last year.

The number of registered poor relieved in Scotland, in the year ended 14th May, 1861, was 97,340, and the average number for the last ten years was 99,210.

The number of lunatic poor relieved in the course of the year was, as stated above, 6,173. Of these, 997 died, or were cured, or ceased to receive relief; thus the number at the 14th May was 5,176, being an increase as compared with the number at the same date last year (5,028) of 148. Of these, 3,480 were in asylums and poorhouses, and 1,696 were residing with relatives or other parties in private dwellings.

The 97,340 registered poor had 51,911 dependent on them, and the 42,848 of casual or unregistered poor had 31,372 dependents.

Of the casual poor and dependents stated above, 9,998, with 9,911 dependents, are returned as being also enumerated as registered poor. The whole number of unregistered or casual poor at the 14th May, 1861, was 3,891, with 3,187 dependents. The number of adult casual poor relieved on the 1st January, 1861, was 3,385, and their children, together with orphans or deserted children, 3,006. The number of the former relieved on 1st July, 1860, was 2,973, and of their children, and orphans or deserted children, 2,722, or stated thus:—The total number of persons of all classes and ages receiving relief as casual poor on 1st January, 1861, was 6,391;

on 14th May, 1861, 7,078; and on 1st July, 1861, 5,695; the average of the three periods being 6,388. The whole sum derived from church collections in assessed parishes during the year ending May, 1861, was 18,249*l.* 11*s.* 10*d.*, of which 10,118*l.* 9*s.* 10*d.* is stated to have been expended on relief of the poor. From this sum, however, must be deducted 271*l.* 11*s.* 11*d.*, handed over to the parochial boards. It would appear, therefore, that the sum of 9,846*l.* 17*s.* 11*d.*, derived from church collections, was actually applied by the Kirk sessions to the relief of persons in their respective parishes who required assistance. But these funds are generally employed to afford aid to persons who have fallen into temporary difficulties with a view to prevent them from becoming chargeable to the parish as paupers; and it is probable that few of the persons so assisted have also been chargeable to the funds raised by assessment.

The total number of applications to sheriffs, on the ground that relief had been improperly refused, as returned by the sheriffs' substitute, was, during the past year, 510; while, in the returns for the preceding year, the number of such applications was 537. These numbers, however, fall short of the actual number of applications as in several sheriff courts no complete record is kept of them. The number of such applications in which sheriffs felt called upon to grant interim orders of relief during the past year was 356. In the preceding year it was 344. The number of applicants admitted to the roll of paupers by final order of the sheriffs during the past year was 54; in the preceding year it was 49. The average annual number of such interim orders during the ten preceding years was 416; and of such final orders, 86.

The number of prosecutions under the 79th and 80th sections of the statute during the past year has been 107, and of convictions 70. In the previous year the number of such prosecutions was 78, and of convictions 46. The average annual number of such prosecutions during the ten preceding years was 144, and of convictions 100.

POOR LAW, IRELAND.

Fourteenth Annual Report of the Commissioners for Administering the Laws for Relief of the Poor in Ireland.

IN the weekly returns of destitute persons relieved in unions and workhouses in Ireland, there has been an increase, which has continued throughout the year. Of able-bodied persons relieved in workhouses, there were 9,244 on the 17th March, 1860, and 11,418 on the 23rd February, 1861; of children under fifteen years of age, 12,012 in March, 1860, and 13,625 in February, 1861: of sick in hospital, 16,417 in March, 1860, and 17,453 in February, 1861. Of all other classes, 7,922 in March, 1860, and 9,056 in February, 1861. Total, 45,595 in March, 1860, and 51,552 in February, 1861. Out of the workhouses there were relieved 2,291 in March, 1860, and 4,712 in February, 1861.

Many of the unions in Ireland have contributed but little, if at all, to this increase, which, in the earlier part of its progress, arose probably from no other change of circumstances than that involved in a somewhat higher price of provisions, and the prevalence of very unfavourable weather. In one union, that of Belmullet, comprising the northern portion of the barony of Erris, the crops of oats and potatoes in some electoral divisions suffered

so severely from storms in the autumn of 1859, that in the spring of 1860 a great deal of distress existed among the peasantry of the district for several months. During this time there was some increase of the number of inmates of Belmullet workhouse, but it was at no time occupied to the extent of one-third part of the accommodation; and the additional expenditure charged on the whole union during the year was 308*l.*, equal to 30 per cent. on the previous annual expenditure of 1,038*l.*, and forming a considerable increase of charge on the small rateable value of that part of the union which was principally affected by it. On this occasion there is no doubt that the rate-paying resources of certain electoral divisions would have incurred a very heavy poundage for the purposes of relief had it not been for the intervention of private benevolence, parties locally interested having organized a relief committee, and succeeded in drawing a great degree of public attention to the case. It is known that a sum exceeding 2,000*l.* passed through the hands of this committee, and was dispensed by them to the tenantry of the distressed district. This is the first instance of aid from external sources being afforded on a large scale in relief of the poor of distressed electoral divisions in Ireland since the exhaustion of the rate-in-aid fund in the year 1852. At the present time we are happy to state there are no indications of a renewal of the same difficulties in any part of that barony in 1861.

It has already been seen that the later part of this year's series of weekly summaries shows a more considerable increase of pauperism than the earlier part. That increase was connected with obvious and generally prevailing causes, namely, the extensive blight of the potato last autumn, especially the earlier part of the crop, and the deficiency of the supply of turf saved for fuel in consequence of the long-continued rains. We obtained in October last information on these points from our inspectors, and from the boards of guardians of unions, which led us to issue a circular letter requesting the guardians to be prepared against the possible occurrence of a general increase in the number of applications for relief.

Although the apprehensions felt in October have, to a certain extent, been justified by the subsequent rise in the cost of the first necessities of life, the pressure so far experienced upon the funds provided for the relief of the poor, as described in paragraph 3, is much less than might have been anticipated under the circumstances.

The autumn of 1860 may be regarded as a far more unfavourable one in respect of the food harvest than that of any year since the first years of the famine period; and the prices of the first necessities of life are, at present, higher in this country than the prices to which they attained in the year 1845, the first, though not the worst year of blight.* Remembering the apprehensions which justly prevailed in the latter part of 1845, one cannot but wonder at the present comparative state of confidence in Ireland. The change is attributable, no doubt, to a combination of favourable circumstances, of which the following appear to be the most prominent:—The

* The following statement shows the prices of bread, potatoes, and oatmeal, as quoted in the public papers, in the months of November and December, in each of the years 1845, 1846, and 1860:—

Bread ... 8½ <i>d.</i> to 9 <i>d.</i> per 4 <i>lb.</i> loaf.	8½ <i>d.</i> to 9½ <i>d.</i> per 4 <i>lb.</i> loaf.	7½ <i>d.</i> to 9 <i>d.</i> per 4 <i>lb.</i> loaf.
Potatoes ... 2 <i>s.</i> 6 <i>d.</i> , 3 <i>s.</i> 4 <i>d.</i> , 4 <i>s.</i> , 5 <i>s.</i> , 4 <i>s.</i> 6 <i>d.</i> per cwt.	6 <i>s.</i> , 8 <i>s.</i> , 9 <i>s.</i> , per cwt.	3 <i>s.</i> 8 <i>d.</i> , 4 <i>s.</i> 6 <i>d.</i> , 5 <i>s.</i> , 7 <i>s.</i> , per cwt.
Oatmeal ... 16 <i>s.</i> , 17 <i>s.</i> , 14 <i>s.</i> , 15 <i>s.</i> , per cwt.	19 <i>s.</i> , 22 <i>s.</i> , 24 <i>s.</i> , 25 <i>s.</i> , 22 <i>s.</i> to 26 <i>s.</i> per cwt.	15 <i>s.</i> , 16 <i>s.</i> , 17 <i>s.</i> 6 <i>d.</i> per cwt.

established operation of free trade in food; less reliance on the potato; increased means of employment, and at better wages, for the labouring classes; and lastly, a confident assurance of the sufficiency of the poor law to meet any emergency which is likely to arise.

The total number of admissions to the workhouse (including births), during this period of 10 years, was 2,332,177; adding the number in the workhouse at the commencement, the whole number of the cases of relief was 2,477,350; and the total number of deaths was 180,172. The annual proportion of deaths compared with the number of cases relieved in each year during the period was about 5 per cent. in each year. In one year (viz. 1851) it reached 6·8 per cent.

The expenditure in relief of the poor for 1859-60, was 450,531*l.* against 413,712*l.* for 1859, exceeding that of the preceding year by 40,819*l.*, or nearly 10 per cent. This is a much larger increase than would appear to be justified by the increase of pauperism within the same period; and it is due in great measure to the increase of prices of the provisions and other articles consumed. It is observable that while there is an increase of 38,480*l.*, arising under the head of "In-maintenance and clothing," there is only an increase of 2,275*l.* under that of "Out-door relief."

The net annual value of property rated in the year ended 29th September, 1860, was 12,280,029*l.*

So far as can be judged, it appears that the time of the year most constantly unfavourable to health and life, embraces the four months of February, March, April, and May, which months are also the months in which the greatest degree of pressure for relief occurs in each succeeding year.

With regard to those poor persons who, having become destitute through sickness, or who, having contracted dangerous contagious disease, either resort to the workhouse for curative treatment, or enter it as a permanent asylum, it has always been the desire of the commissioners to remove, as far as practicable, every prejudice against this form of relief which may exist, from any cause, in the minds of the lower classes. The general regulations relating to the care of the sick in workhouses leave, no doubt, a wide margin for difference in the arrangements and practice pursued in the hospitals and infirmaries of different workhouses; and a further difference is necessarily induced by a difference of circumstances in unions. Thus, in the hospitals of the larger class of workhouses, and in all the fever hospitals attached to them, salaried nurses are employed in less or greater number, according to their extent, assisted by the most eligible of the female inmates; by which latter class the menial services of the several sick wards, and sometimes services of greater trust and responsibility are performed; and in some workhouses containing very few inmates, pauper nurses only are employed, under the supervision of the master and matron.

This class of pauper nurses is not, however, wholly an unpaid one, inasmuch as, under sanction of the medical officer, they receive a higher class of rations, to induce them to retain, by good conduct, this position of trust, and so as to remove, at the same time, the temptation to interference, for their own advantage, with the diet of the patients. On the strength of our inspectors' reports, we can affirm that the sick inmates of the workhouse hospitals are treated with kindness and attention; that the boards of guardians, and their medical officers, avail themselves of their latitude of discretion, under the general regulations, with sufficient liberality; and that the requisitions of the medical officers are, generally, so dealt with by the

guardians, as to place at their command, with very rare exception, all they can reasonably wish, at any time, to be supplied for the benefit and comfort of their patients.

One objection urged against relief in workhouses is the alleged pauperizing influence of the institution, especially as affecting the minds and habits of the juvenile classes. We believe that much misconception exists on this subject in Ireland, and that the proportion of those who having been brought up in workhouses turn out badly, has been greatly exaggerated. That some such cases exist is naturally to be expected; but from the opportunities which have occasionally presented themselves to us for inquiry into specific statements, we are led to think that most of the cases brought forward as examples, are cases of young persons not brought up in workhouses, but who have formed part of the criminal population outside, and who, under a system of charity which regards the existence of destitution only, and not its causes, have been admitted from time to time, either with their parents or by themselves, when in temporary need of relief. As an example of this kind of mistake, we beg to refer to the report of our inspector, Mr. Robinson, on the cases of seven young girls, pointed out by the superintendent of the Mountjoy Female Prison, in the Appendix to the last report of the Convict Prisons' Inspectors, as specimens of the character of those girls who are brought up in workhouses; from which it will be seen that, by a close investigation of the personal history of these young women, the workhouse schools were cleared from any responsibility in regard to them. Such has been the general result of several other inquiries made, from time to time, into the personal history of young persons who have appeared as prisoners in courts of justice, and who, having, in the course of their career of vice, received relief in workhouses, have, especially on occasions when they were prosecuted for crimes committed in the workhouse, elicited observations from judicial authority founded in misconception.

As to the supposition that children brought up in the workhouse schools of Ireland are pauperized by that process, and rendered useless for service, there, no doubt, is some difference between the value of the literary and industrial teaching in different workhouse schools; but the general result of inspections, made quarterly by our inspectors, is quite at variance with the supposition referred to; and the most frequent form of excuse, which the teachers make to the inspectors, for the absence of advanced pupils, is the rapidity with which both boys and girls are taken into service from the schools when old enough for the purpose. The question remains, do these young persons return in any considerable number to the workhouse, or are they likely to do so? That some such cases occur there is no doubt; but these cases we believe to be very rare exceptions to the rule; and the returning children mostly succeed in ultimately retaining service after one or two trials, if not physically incapacitated.

In the 18th paragraph of our eighth annual report (1855) we gave a return of the number of young persons between the ages of 12 and 18 who left the workhouses of 153 unions in Ireland during the years 1849, 1850, 1851, 1852, 1853, and 1854, and who at that date had not returned. The total number was 204,253. It would be difficult to ascertain the precise proportion of that large body of persons who have, in the course of the six subsequent years, entered the workhouse and again left it; but from the very rare occurrence of the admission of able-bodied persons of either sex

during that period, the number must have been very inconsiderable. We are, however, by a recent return enabled to state that the number of those persons present in the same workhouses from which the return was made in 1855, forms an aggregate of only 1,247 out of the total number, 204,253, or 6 in 1,000, which is nearly the same percentage of pauperism as that which prevails in the population at large. We have inquired into the causes of destitution in the 1,247 cases referred to, and find that 637 returned to the workhouse in sickness or through physical or mental infirmity, and 243 through temporary want of employment, leaving a residue of 367 who became destitute through their own default. Of this last number we can only trace 60 as having been virtually brought up and educated in the workhouse. Allowing for the number of deaths in the interim, according to the small rates of mortality applicable to the periods of life involved, the present result is greatly adverse to the supposition that the Irish workhouse schools have the effect of pauperizing the minds and habits of the children brought up in them.

While the hospital patients and the school children, forming together a large majority of the workhouse inmates in Ireland, are well cared for and treated with kindness and attention, it is clear, from the figures entered under the head of "able-bodied" in paragraph 8, that the Irish workhouse operates with sufficient stringency as a test of destitution in this latter branch of pauperism. Since 1851, when the average daily number under this head was 73,882, it has decreased to 7,927, or 89 per cent.; and the number of able-bodied males from 21,269 to 1,867, or 91 per cent. Many persons described as able-bodied paupers are so classed because they are neither sick nor aged and infirm. Nevertheless, they are inmates of the workhouse through some physical defect. The small number of the entire class in a population of 6,500,000, evinces the existence of able-bodied pauperism in Ireland at this time in a very small degree.

Able-bodied female pauperism is now, as at all times, more considerable, and is in the proportion of more than 3 to 1 in comparison with able-bodied male pauperism; the average daily number last year being 6,060. A large part of these are females, who cannot obtain employment through loss of character; and no inconsiderable number of them single females rendered destitute by pregnancy, or as mothers of illegitimate children. This branch of destitution, it may be observed, is less liable to fluctuation through the prosperous or adverse circumstances of the population than any of the others represented by the workhouse statistics.

It is now many years since the extent of accommodation in the workhouses of Ireland underwent revision. In the interval some part of the temporary additions attached to the permanent buildings have fallen into disuse and have been abandoned altogether. A higher estimate also of the requisite cubic space both in hospital and the ordinary dormitories now prevails; and anticipating the possibility of pressure on the workhouses, we determined on revising the available extent of accommodation in each case, so as to prevent the risk of overcrowding. This operation is now in progress and will soon be completed. It will result in some considerable reduction of the supposed available space in the Workhouses; leaving at the same time an ample margin, with some very rare exceptions, to meet a far greater pressure than that of the present season, which, severe as it is, does not appear likely to fill the workhouses to more than one-third of their reduced extent in the aggregate.

We now proceed to submit to your Excellency the report of our proceedings under the 14 & 15 Vict. c. 68, the Medical Charities Act.

The number of cases of medical relief afforded under the Act in the year ended 30th September, 1860, was 761,633, against 776,391 in the preceding year. The expenditure incurred under the Medical Charities Act was 104,247*l.*, against 99,336*l.* in the preceding year, the expenditure being divided as follows:—Medicines and medicinal appliances, 18,170*l.*; rent of dispensary buildings, 6,813*l.*; books, forms, &c., 1,332*l.*; salaries, 65,316*l.*; vaccination fees and expenses, 5,508*l.*; and fuel, porters, &c., 5,073*l.*: total, 104,247*l.*

While there has been some fluctuation during the eight years in each province in the amount of relief afforded from year to year, yet, on the whole, there has been an increase in the numbers relieved both at the dispensaries and at their own homes in each province, so as to give, on comparison of the first and last years an increase of 39,292 cases for patients relieved at the dispensaries, and of 31,930 for those attended at their own homes. Comparing the two last years, it appears that there has been a diminution in the numbers of cases relieved at the dispensaries, in the latter compared with the former year, in the provinces of Leinster, Ulster, and Munster, and an increase in the same provinces of the number of cases attended at the patients' homes. The reverse has occurred in Connaught, where we find for the latter year an increase of patients attending at the dispensaries, and a slight diminution in the number of domiciliary cases. The total of both descriptions of cases for all Ireland shows, for the first time since the commencement of the operation of the Medical Charities Act, a diminution in the gross number of cases relieved in the year. It is not improbable that this circumstance indicates that the dispensary system under the Medical Charities Act has approached its full development; and that in future years, in the absence of the prevalence of any epidemic disease, we need not expect much greater or smaller numbers of applicants for dispensary relief in proportion to the population than exist at present.

Owing to the loose and imperfect manner in which the record of the relief afforded to the sick poor under the grand jury dispensary system was kept and published, it is not in our power to contrast the amount of relief yearly administered under it with that exhibited in the above table; but we can entertain no doubt that the existing dispensary system is as superior to the grand jury system which it has replaced in this respect as it certainly is in many other important particulars.

BIRTHS, DEATHS, AND MARRIAGES.

Twenty-second Annual Report of the Registrar-General of Births, Deaths, and Marriages in England for 1859.

THE names of 335,446 men and women were inscribed on the Marriage Registers; of 686,881 children on the registers of births; and of 440,781 persons of all ages on the registers of deaths. The total number of names enrolled during the year amounted to nearly a million and a half (1,466,108).

On an average of twenty-two years there was one death to 45 living

in the population, one birth to 30 living and one person married to 61, living; and these proportions in the year 1859 became 1 in 45, 1 in 29, and 1 in 59; or, more exactly, the mortality on the population was 2·236 per cent, on an average, and nearly the same (2·232) in 1859; the average birth-rate was 3·305, the rate in 1859 being higher (3·494); the average marriage rate was 1·636, and the rate in the last year also higher 1·610.

The beginning of the year was unhealthy; and the rain having for some time been deficient, the water supply was in some places scanty, in others impure. But in the progress of the year there was a manifest improvement; and the public prosperity was indicated by an increase of marriages. The marriages in the year exceeded by 11,653 the marriages in the preceding year; the births were 34,400 in excess; and the deaths 8,875 in defect. Consequently the excess of births over deaths in the year was 43,275 above the excess in the preceding year, and amounted to 249,100. This was the natural recorded increase of the population of England and Wales.

The emigrants of English origin amounted to about 40,245. To this extent, therefore, the natural increase is diminished by emigration. Upon the other hand, while the Emigration Commissioners record the departure of 120,432, they record the return of 19,913 emigrants to the United Kingdom; and there is probably a constant influx of the population of Scotland and Ireland into England and Wales; so that the census alone will enable us to strike the exact balance.

167,723 marriages were registered in the year; 136,210 according to the rites of the Established Church; and 31,513 not according to those rites. Of the marriages in the church, 19 were by special licence, 20,345 by licence, 107,737 by banns, and 4204 upon superintendent registrars' certificates. The clergy omitted in 3905 cases to state whether the marriage was by licence or by banns. The marriage by banns increased more rapidly than the marriages by licence, and were in proportion to those by licence as 5·296 to 1. Of the marriages not according to the rites of the Established Church 12,519 were by Protestant Dissenters, 7,756 by Roman Catholics, 70 by Quakers, and 324 by Jews; 10,844 marriages, exceeding those of the Roman Catholics, were performed in superintendent registrars' offices. 137,005 bachelors married as many spinsters in the year; and 8,161 widowers married the same number of widows, 7,058 bachelors also married widows, and 15,493 spinsters married widowers; consequently 23,654 widowers, and 15,219 widows re-married. Of 100 men marrying, 14·10 were widowers; of 100 women marrying, 9·07 were widows. 10,397 young men and 32,041 young women under twenty-one years of age, married in the year; so of 100 men 6·20, and of 100 women 19·10 were minors.

44,807 men and 63,127 women signed the marriage registers with marks; so that of 335,446 persons in the prime of life, 227,512 could write their names more or less distinctly; and 107,934 signed with marks, or 32·2 per cent. signed with marks. Of the women, 37·6 in 100, of the men, 26·7 in 100 signed with marks; so that the women do not write in the same proportion as men. It is gratifying to trace the progress of education since 1841, when 32·7 men, and 48·8 women in every 100 signed with marks, to the last year, when the proportions fell to 26·7 and 37·6 respectively; so that of persons at the age of marriage, 6·0 more men, and

11·2 more women in 100 now write their names than wrote eighteen years ago.

4228 places of public worship were open for the solemnization of marriages, and registered on December 31st, 1859. This number exceeds by 156 the number on the register at the same date of the previous year. The marriages are most numerous after harvest in the Christmas quarter of the year, and in the spring quarter, including the months of April, May, and June. The marriage rate is lowest in the Lent quarter ending in March, when the produce of the year is partly consumed.

The registered births, which declined in the previous year, rose to 689,881 in the present year. The increase is 34,400. The birth-rate of the year is 3·494, or 1 in 29. 352,662 boys and 337,219 girls were born; and 15,443 more boys than girls, the proportions being 1046 boys to 1000 girls; so that the proportions were nearly 22 boys to 21 girls. The proportion of births in the several seasons of the year varied. Thus if we take the average births of each quarter at 1000, the proportional births in the four quarters of the year are represented by the numbers 1032, 1022, 968, and 978. These proportions differ from year to year; but the births in the first exceed those in the second six months of the year. 44,751 children were born out of wedlock, or 6·5 per cent. of the children born alive, and so registered as to allow the distinction to be drawn. *One* in every *fifteen* children is in this condition, and has to encounter the hardships incidental to it; for hitherto mankind have treated the innocent children with the opprobrium which properly attaches only to the parents. To 100 girls, 105·7 boys were born out of wedlock; whereas to 100 girls, 104·5 boys were born in wedlock.

The number of deaths was less by 8875 than the deaths in the year preceding; and the rate of mortality (2·232) was slightly below the average, 2·236. It is nearly expressed by one death to every 45 of the population. The mortality of males was at the rate of 2·300, and of females at the rate of 2·167 per cent. annually. The deaths of males were to the deaths of females as 103 to 100; and out of equal numbers of the two sexes the proportions become 106 to 100. The rate of mortality under ten years of age was higher than usual in both sexes; and generally lower at the more advanced ages. The winter was the most fatal of the four quarters; and this is explained in the quarterly reports.

In the first quarter of the year, January, February, and March, the price of wheat was 40s. 8d. a quarter; the prices in the first 13 weeks of 1857 and 1858 having been 56s. 10d. and 46s. 5d. The price is less by 12 per cent. than it was 12 months ago. It is remarkable that after due corrections have been made for measure and for quality in the Eton returns, the average prices of wheat were 40s. 7d. and 40s. 6d. a quarter in the seventeenth and eighteenth centuries. The price of potatoes also fell considerably; in the first 13 corresponding weeks of 1857-8-9 York Regents sold at 110s., 152s. 6d., and 90s. a ton at the waterside market, Southwark. At Leadenhall and Newgate markets the price of beef of the lowest and of the highest quality is more by $\frac{1}{2}$ d. a pound than it was in the winter of last year; mutton is at the same price. The mean prices per lb. in the three winters 1857-8-9 were: beef, 5 $\frac{3}{4}$ d., 5 $\frac{1}{4}$ d., and 5 $\frac{1}{2}$ d.; mutton, 6 $\frac{3}{4}$ d., 5 $\frac{3}{4}$ d., and 5 $\frac{1}{2}$ d. The mean temperature of the quarter that ended on March 31st, at Greenwich, was 43·3°, or 5·5° and 4·1° higher than the temperature of the two corresponding quarters of 1857-8; and

4·9° above the mean temperature of 88 years. There are only two instances (1822 and 1846) since 1771, when the winter temperature was higher. The excess of temperature was observed in each of the three months. The air contained more than the average amount of water, but the humidity was less than usual, being 83 (saturation being=100). The fall of rain was 3·1 in. at Greenwich; so it was 1·6 in. below the average. The rainfall was deficient in all the southern counties, excepting Cornwall and Devon. The deficiency was less in the northern stations. At Stonyhurst the Rev. A. Weld says: "The weather has been so wet that scarcely anything can be done on the ground; no one remembers so wet a season." At Bristol 3·29 inches of rain fell in three days (March 11th, 12th, and 13th). The Rev. J. Slatter, of Rose Hill, near Oxford, says: "The great absence of rain has produced much low fever." The people are often driven in droughts to the use of impure water, which is a common cause of disease in men and animals. Altogether the meteorology of the season has been exceptional.

The returns with which the Registrar-General has been favoured by the Poor Law Board, exhibit the improvement in the circumstances of the people which the marriages indicated. The average number of paupers in the receipt of relief (865,518) was less by 108,199 than the numbers (974,017) receiving relief in the first thirteen weeks of 1858, and 46,729 less than the numbers in the corresponding quarter of 1857. A part of the improvement is fairly referable to the mildness of the weather; but a part is undoubtedly due to the improvement in the circumstances of the people, which was perceptible in the latter part of last year.

121,580 deaths were registered in the quarter. The mortality was at the rate of 2·510 per cent., or rather more than 25 in 1,000. The number of deaths was less than the number of deaths in the winter of last year by 4,239; and the rate of annual mortality was less by 1 in 1,000. In both the winter quarters the rate of mortality exceeded the average rate prevailing during the winters of the last ten years. In the first quarter of the year 1858, the weather was unusually severe; in the first quarter of 1859 the weather was unusually mild. In both quarters the rate of mortality exceeded the average. The rate of mortality in 125 districts and 23 sub-districts comprising the chief towns, is 26·5 in 1,000, the same as the average of ten previous winters. The mortality in the remaining districts and sub-districts, comprising chiefly small towns and country parishes, had increased from 22·2 to 23·8; or the increase is 1·6 in 1,000.

It will be recollected that the sanitary measures in Ely reduced the mortality of the town below that prevailing in the surrounding parishes. And such will probably be the course matters will take unless sanitary measures are extended to the country as well as to the towns. The superior health of the country arises mainly from the circumstance that, the population being widely disseminated, the poisonous exhalations which are produced around the dwellings are destroyed to a considerable extent by the atmosphere. Now the houses in the suburbs of London and of the provincial towns are generally built by the architects with cesspools, which are not emptied daily, and which have not the advantages of drainage; so that the beneficial effects of the open country air in the daytime are likely to be neutralized by the impurity of the night exhalations in-doors. The mortality of the quarter in England at the rates prevailing in 63 of the healthiest districts would be 17·64 in 1000; and if

the mortality of the whole population had been at that rate, the number of deaths would have amounted to 86,624, instead of 121,682. Consequently 34,956 unnatural deaths were registered in the 90 days. This implies not only loss of national life, but loss of health and English vigour, which it is desirable on every account to raise to the highest pitch in the present days. The mortality has prevailed with different degrees of severity in every division; but the number of deaths was much greater in every division except London, than the deaths in the winter quarter of 1857; and less than the number of deaths during the winter quarter of 1858 in every division except the north, west midland, and northern divisions. The reason of this will be apparent upon examining the returns in detail. Diphtheria has prevailed, with varying degrees of severity, in different parts of the country. The ravages of this disease deserve particular attention.

In the second quarter the average price of wheat has risen from 40*s.* 8*d.* a quarter to 47*s.* 3*d.*, which is 7 per cent. above the price of the corresponding spring quarter of the previous year. The prices of beef and mutton by the carcase have gone up to 5½*d.* and 6*d.* a pound at the Leadenhall and Newgate markets; they are 10 and 9 per cent. higher than the spring prices of the previous year. Potatoes were 97*s.* 6*d.* a ton at the Southwark market, or nearly a halfpenny per pound; and 40 per cent. cheaper than they were in the same months of last year. The weather in the months of April and May was rather warmer than usual; during June the temperature was almost always high, the average daily excess having been 3 deg. nearly. For six weeks (from April 11 to May 23) the wind, as is usual at this period of the year, was mostly from the N.E., travelling at the rate of nearly 100 miles daily; during the quarter the average daily horizontal movement of the air was 88 miles. The humidity of the air was of nearly the average amount in April and May; it was somewhat more humid in June. The rain-fall of the quarter was slightly above the average. It would seem, however, that the annual fall is diminishing, and it is stated that the deficiency in the last five years is equal to the average fall of one year, viz., 25 inches. The average number of poor claiming relief, fell from 871,512 in the spring quarter of last year to 819,560 in the spring quarter of the present year; or pauperism declined 6 per cent.

About 105,631 persons died in the three months which ended on June 30th, for that number appears on the registers of the quarter; and the rate of mortality was 2·150 per cent. or less by ·064 than the average rate of the season. In the chief towns the mortality was at the rate of 2·24 per cent. less by ·15 than the average of 2·39 per cent. In the districts of the country and of the small towns the mortality was lower (2·06) than it was in the denser districts; but instead of improvement there is deterioration. Indeed the sanitary condition of the country districts around the large towns now demands strict attention. The mortality of all England, if the same as in the 63 healthy districts, would be at the rate of 17 in 1,000, or exactly 84,207. These may for the present be held to be natural deaths; the excess of 21,424 over this number are undoubtedly unnatural deaths, and may be ascribed to the unfavourable sanitary conditions in which a large portion of the population still lives.

The 105,631 deaths in the quarter, although less than the usual number, imply, according to the most reliable returns of sickness, that about a million and a quarter of people of all ages were on an average infirm or constantly

sick during the season. The quarter of a million sick would be healed by effective sanitary arrangements. Thus, much labour that is now lost would be productive, and lives of great value would be saved. The whole community would acquire fresh strength and vigour. Money which is expended on real sanitary measures, such as have been carried out in Ely and a few other places, is the most profitable of all national investments; for it is an augmentation of the power and of the productive life of the population.

As at this season of the year many families leave the towns and go abroad to recruit their health, it may be here remarked that, generally, the United Kingdom is the healthiest country in Europe, and that France, Norway, Sweden, and Switzerland stand next in rank. Of the European watering-places few are known to be so salubrious as those of England. They differ in health in different years through the recurrence of epidemics, from which, owing to the existing sanitary defects, they are still imperfectly defended. The mortality of some of the districts which are resorted to, it will be seen was higher in the last three months than 20 in 1,000; and of these are Bangor, 24; Aberystwith, 24; Whitby, 26. The aggregate mortality of the three districts, Ashborne, Bakewell, and Chapel-en-le-Frith, including Buxton, Matlock, and the country round, was at the rate of 23 in 1,000. Of 10 districts which are resorted to for health, the mortality was at the annual rates, ranging from 13 to 17 in 1,000.

Mortality in the Districts containing some of the principal English Watering Places.

DISTRICTS.	Population, 1851.	Annual Rate of Mortality to 1,000 living in the	
		10 Years, 1841-50.	3 Months ending 20th June, 1850.
Tunbridge (including Tunbridge Wells)	28,545	20	17
Thanet (including Ramsgate and Margate)	31,798	19	18
Dover	28,325	21	17
Hastings	21,215	18	14
Eastbourne	8,347	15	17
Brighton	65,569	21	19
Worthing (including Littlehampton and Arundel)	18,746	17	19
Isle of Wight (including Ryde, Newport, and Cowes)	50,324	17	16
Mutford (including Lowestoft)	20,163	17	16
Yarmouth	26,880	23	20
Weymouth (including Melcombe Regis)	22,037	19	18
Newton Abbott (including Dawlish, Torquay, and East and West Teignmouth)	52,306	19	17
Barnstaple (including Ilfracombe)	38,178	17	14
Bath	69,847	24	21
Clifton (including part of Bristol City and Bristol Workhouse)	77,950	23	20
Cheltenham	44,184	20	19
Upton-on-Severn (including Malvern)	18,070	18	19
Warwick (including Leamington)	41,934	20	17
Ashborne, Bakewell, and Chapel-en-le-Frith (including Buxton and Matlock)	62,308	20	23
Scarborough	24,615	21	19
Whitby	21,592	21	26
Kendal	36,572	20	19
Aberystwith	23,753	18	24
Bangor	30,810	21	24
Anglesey	43,243	17	13

In the third quarter, July, August, and September, the price of wheat has remained steadily at nearly the same figure for a year and nine months; and during the last three months it has been 44s. a quarter. This steadiness of price in an article of large consumption has a salutary effect. Beef has been 5½d. a pound, mutton 5¾d. a pound by the carcase at Leadenhall and Newgate markets. The price of beef is the same as it was in the corresponding quarter of 1858, and the eighth of a penny less than it was in 1857; the price of mutton in the same quarters was 5¾d., 5½d., and 5¾d. The average prices of the higher qualities of the two meats decreased ¼d. in the pound; or beef from 6½d. to 6¼d.; mutton 7d. to 6¾d. Potatoes were sold at the rate of 85s. a ton at the waterside market, Southwark; in the corresponding quarters of two previous years the prices were 105s. and 77s. 6d. The prices of the present year, like the temperatures of the seasons, occupy an intermediate position between those of 1857, when they were higher, and 1858, when they were lower. The mean temperature of the quarter was 62·8°, or 3·3° above the average temperature of the season during 88 years. The excessive heat was accumulated chiefly in July, when the mean temperature was 68·1°; while on July 12th the air in the shade reached 92½°, and 93° on the 13th and the 18th; so that during 10 successive days the mean temperature of day and night exceeded 70°, a thing unprecedented during the period over which correct observations extended. The air was drier (·72) than usual; but the rain-fall, 8·2 inches, somewhat exceeded the quarterly average. The thermometer on the grass never fell below 40° in July and August, whereas it usually falls several times to the freezing point of water. Pauperism is below the average in the kingdom. The average number of paupers in the receipt of relief during the quarter was 783,449, or less by about 29,000 than the numbers receiving relief in the corresponding quarters of the two previous years.

104,216 persons died in the quarter. This number is 6,074 in excess of the deaths, 98,142, in the corresponding summer quarter of last year; and the rate of mortality, 2·091 per cent., is below the average; the excess in that average being due to the epidemics of cholera. A certain number of the deaths in the quarter may be set down as natural deaths, and they would not have exceeded 73,533 if the mortality in sixty-three districts of England, by no means in unexceptionable sanitary condition, be taken as the standard. The 30,683 deaths in excess of that number are unnatural deaths, the results of causes which it is the duty of every member of the community to endeavour to remove. It is a remarkable fact that the mortality of the quarter in the small towns and the country parishes was above their average, to the extent of more than one death annually out of every 1000 living. A still greater excess might have been expected in the large town districts, whereas the reverse was observed; the mortality having been at the rate of 2 in 1,000 less than the average. The summer mortality in the town districts was formerly to that of the rest of the country as 26 to 18; in the last quarter it was as 23 to 19; and the difference will undoubtedly be still less considerable when all the dense districts are supplied with pure water, and with the means of returning all their refuse to the fields as manure in an innoxious state.

In the fourth quarter, October, November, and December, wheat was sold at the average rate of 43s. 4d. a quarter; in the corresponding period of 1857 and 1858, the price was 52s. and 41s. 9d. The price of this great article of food fluctuated little, and has been moderate during the last two

years. The average price of beef by the carcase at Leadenhall and Newgate markets was $5\frac{1}{2}d.$, of mutton $5\frac{3}{4}d.$ a pound. The price of meat fluctuates less than the price of bread; but taking the mean of the two articles, the price has followed the same course as the price of wheat. So the price of potatoes, which fluctuates largely, and has an evident effect on the public health, was $140s.$, $87s. 6d.$, and $102s. 6d.$ a ton in the last thirteen weeks of the three years 1857, 1858, and 1859.

The meteorology of the season was remarkable for its excesses of heat and cold. Very severe weather set in on October 21st; it was followed by a warm week (November 1st-8th); then the cold weather returned, and became intense, the temperature falling all over the country below the freezing point of water (32°), and in many places descending below 10° . At Norwich the low point of 1° was observed; at Holkham 3.8° ; at Lampeter 2° below zero. The weather after December 23rd became again unusually warm until the end of the year. The rain-fall was 8.7 in.; or 1.6 in. above the average of the season. Nearly 26 in. of rain fell in the year; or half an inch in excess of the average. In the four previous years the rain-fall was deficient. Pauperism has gradually declined; the average number of paupers in receipt of relief during the last thirteen weeks of 1857-8-9, were respectively 859,756, 826,655, and 793,391.

109,354 deaths were registered in the last quarter of the year 1859, and the mortality was at the rate of 2.187 per cent. per annum. This is slightly above the average rate; but is much below the rates in the corresponding quarters of the two previous years (2.263 and 2.400). In the last year 440,781 deaths were registered; and the mortality was at the rate of 2.232 percent.; or rather more than $22\frac{1}{2}$ died out of 1,000 living. By a careful induction, drawn from an extensive series of observations on various portions of the population, it appears that the deaths should not have exceeded 322,616 in the year, at what may be provisionally called the natural rate, actually prevailing in sixty-three districts of the country. The 118,165 deaths in excess of this number were, therefore, unnatural deaths. If we divide the population into two nearly equal parts, the town population, it is found, died at the rate of nearly 25 in 1,000; the country population at the rate of 19 in 1,000 on an average during ten previous autumn quarters. In the last quarter the mortality of the towns was between one and two in 1,000 below the average. This reduction may be fairly referred to the full employment of the people in the manufacturing districts, and to the partial sanitary improvements which have been made in several large towns. That it is not the effect of the weather, or of any universal cause, is proved by the fact that in the country and small town districts the mortality rose from the average of 19 to 20 deaths out of 1,000 living.

Health of London in 1859.—The weekly tables have shown the changes of the population of London during each of the fifty-two weeks; and now the births, deaths, and fatal diseases of the year have been ascertained, our gains and our losses can be numbered. The natural increase of the population was 31,049. That was the excess of the registered births over the registered deaths. Besides the increase by natural growth, London receives other accessions; every county of the United Kingdom sends its quota to the metropolis, and the aggregate number of the immigrants, according to the best estimate, exceeded 23,000. The probable increase of the population was 54,000 in the year; or more than a thousand weekly. There is a further movement of the population of the metropolis: the natives leave in large numbers,

and are replaced by persons born in other parts; and again, many immigrants who come to London return to their homes or wander elsewhere. The greatest migrations take place at the ages 20 to 30; when young people, unsettled, still maintain a connection with the homes of their childhood. Of 1,394,963 inhabitants of London of the age of 20 and upwards at the last census, 749,853 were born beyond its bounds. It is a vast stage, upon which the best of the population of the United Kingdom play their part, and then retire to country life, to foreign lands, or to the life beyond the grave. With the latter class only we have now to do in reviewing rapidly the diseases, the crimes, the negligences, and the accidents which have proved fatal.

The population of London in the middle of the year 1859 was probably 2,774,338; comprising about 1,299,602 males, and 1,474,736 females; for there are 175,134 more females than males. This is the result of the excess of female over male immigrants, and of the higher mortality to which men are exposed. The number of children whose births were registered in the fifty-two weeks amounted to 92,909, of whom 47,330 were boys, 45,579 girls. Thus the boys born exceeded the girls by 1751. The births were at the rate of 1787 weekly, 255 daily. The births exceeded by 3,897 the births in the previous year, and by 26,158 the births registered in 1845. The destruction of life proceeds on the same scale of grandeur: 61,860 of the inhabitants of London died; so if the dead of this single year could be brought to life, they would people a large city. The deaths were at the rate of 1,190 weekly, 170 daily. 31,577 males and 30,283 females died. The deaths do not increase at the same rate as the births; yet their numbers have increased since 1845, when the deaths of 24,836 males, 24,082 females were registered. Upon comparing the deaths with the estimated population, it is found that to 100,000 living, 2,230 died in the year; the average deaths of the last eighteen years being 2,439. Thus the mortality is nearly at the rate of 22 in 1,000, in lieu of 24 in 1,000.

The number of births varied weekly; 1,980 children, the greatest number, were registered in the fourth week of January; 1,578, the least number, were registered in the last week of September. The first number is 200 above, the last number 202 below, the average. The deaths fluctuated differently; in a week of June, towards the middle of the year, they fell to 913, and in a week of October to 902, or 283 below the average; in the last week of December they rose to 1,677, or 492 above the average. The reproductive force thus acts most steadily; the destructive forces having a greater range, and while they allow the mortality to subside to some extent below, raise it at intervals much above the average.

The mortality was raised above the average by the extremely cold weather of January and December; the mean temperature of the two first weeks was low (35° and 39°), and the deaths rose to 1,338 and 1,429; again, the temperature fell in the two last weeks but one of December to 28°, 33°, and the deaths rose to 1,548 and 1,677 in the two weeks following.

It may be instructive to compare the fatality by some of the diseases of London now and in the seventeenth century. In the twenty years 1660-79 the mortality in Southwark and in the city within and without the walls was at the rate of 7 or 8 per cent.; so the mortality within the bills may be set down at the rate of 7,000 annually in every 100,000 living, of which 3,400 were by zymotic diseases.

The diseases were not always distinguished accurately. But by putting them in groups, any fallacy from this source will be obviated, and the

decrease of some of the worst forms of mortal disease will be placed beyond doubt. To render the comparison easy, the number living is taken to be the same in the two periods, 100,000 in 1660-79 and in 1859. The annual deaths by small-pox were 357 in the first period, 42 in the second period; by measles 40 and 47 in the two periods. Medical science was imperfect, and the science existing in that century was very imperfectly applied. Croup and scarlatina were not generally recognized, but were confounded with measles and fever. The mortality by fever, continued or remittent, and ague was at the rate of 749 and 59 in the two periods; or including scarlatina, quinsy, and croup, the mortality was 759 and 227. Thus a person was in four times as much danger of dying of these diseases at the Restoration as a person living in London now. Women are not yet entirely exempt from peril in child-bearing: the mortality by that disease is now 17, it was then 86. Again a few (8) in 100,000 die now of dysentery; then, out of the same number, 763 died annually of that disease. By diarrhœa, a milder form of disease, 11 died then, 120 die now; cholera was fatal in 1859 to 7, and in the 20 years (1660-79) to 130 annually. Syphilis was twice as fatal as it is, the numbers being 21 and 12. Scurvy and purpura bear testimony to the imperfect nutrition of the population; the annual deaths were then 142 and are now 2. Vegetables, fruit, and fresh meat, could with difficulty be procured in winter. Worms and all parasitic creatures that crawl over, bite, and prey on the body of man, were prevalent; 10 deaths were ascribed to worms.

Dropsy, a result and sign of scurvy and fever, was exceedingly fatal; 298 died of that disease then, and 26 now. Apoplexy, paralysis, epilepsy, affections of the brain, and suicide, are more fatal now, according to the returns, than they were, in the proportion of 57 then to 151 now. Consumption and diseases of the breathing organs were uncommonly fatal; 1079 then and 611 now are the figures of the mortality. Diseases of the digestive organs were fatal then and now in the proportion of 146 and 95. Stone and diseases of the urinary organs are now as fatal as they were then; the deaths being 21 and 30. Children were rapidly cut down; of convulsions and teething 1175 died then, 136—too many—now.

Of the violent deaths, some are now more frequent, as the forces by which they are occasioned are greater; of fractures and wounds 19 died then, 25 now; of poison, more accessible, 2 now and then only 1; of burns, as fires are probably more common, and dresses more inflammable, now 13, then 3; drowning and suffocation were then twice as fatal (23 and 20) as they are (10 and 10) in the present day. 5 in 100,000 of the people were executed then annually; now one in the whole population.

In addition, the inhabitants of London were then destroyed by the terrible plague, which, upon an average of the twenty years, carried off 1132 lives. In 1665 nearly a third of the population perished by plague. It is difficult to conceive this frightful destruction of human life; the imagination, the wailing notes of writers, the details of Defoe in a work which would have immortalized any writer, fail to bring all the horrors before our minds. The mortality was at the rate of *seven* per cent. on an average during the twenty years. If the mortality of London had been at the same rate in the last year, instead of 61,869 about 194,200 deaths would have been registered. The plague was the more appalling as the mortality overwhelmed the people in particular years; thus the burials from 15,356 in 1663, rose to 97,306, "whereof 68,596 were by plague," in 1665; and

this was equivalent to more than 600,000 deaths by plague in the present population of London. In the third week of September 8297 deaths were registered, which represents a rate of mortality equivalent to about 85,000 deaths in a week on the actual population of London.

In these recurring plagues vast numbers of people fled in panic terror from the fatal city; servants and workpeople were discharged in great numbers; commerce was paralyzed; few ships ventured up the river, and merchant vessels were occupied by their owners as asylums on the water. Sextons, gravediggers, bearers, bellmen, and drivers of death-carts were in demand. The dead were buried indiscriminately; some bodies lay in forsaken houses, others across the paths in the streets, no longer traversed by carts or coaches. At the end of the summer, grass was growing in Bishopsgate-street and Cornhill, where the people thronged no longer. The loud voices, shrieks, and sobs of the delirious, the desolate, and the dying were heard in the streets; at times too disturbed by reckless revellers, and by raving patients, who had escaped from their dwellings, converted into prisons. For according to the regulations "infected houses" were shut up; a red cross and "Lord have mercy upon us!" were inscribed on their portals; while watchmen jealously guarded the doors. These quarantine regulations were at first rigidly carried out, and were only gradually abandoned when they were found useless, pernicious, and impracticable.

It is of some use to ask whether these past occurrences possess merely a historical interest to the inhabitants of London. Are the diseases of those times ever likely to recur? The answer must be, undoubtedly they will recur, if their causes come again into action; and not otherwise. If a comet—if the stars—if volcanic action—if some mystical telluric influence destroyed the population of London at the rate of 7 per cent. annually, and at times in paroxysms at the rate of 20 and 30 per cent. in a single year, such powers are evidently beyond the reach of the will, and of all human effort. The population must resign itself to its fate. Vesuvius may perhaps be extinguished artificially; but the cause of the volcanic action which pervades the world is inaccessible. All the evidence, however, goes to show that comets, stars, and volcanic action had as much to do with the mortality of the population of London in the seventeenth century as with the mortality of the British troops in the Crimea; and no more. The supply of food, and particularly of vegetable and fresh animal food, in certain seasons of the year, was defective, so that a large portion of the population became scorbutic. The houses were nearly as close and dirty as the houses now are in Constantinople and Cairo; the water supply was imperfect, as London Bridge works and Hugh Middleton's New River were for many years unappreciated. Water has in itself little attraction for people unaccustomed to ablution. Parasitic insects and diseases of the skin betrayed its impurities. The dirt of the houses struck foreigners. The sewers were imperfect; and the soil gave off marsh malarja in some parts, and in others was saturated with the filth of successive generations.

The high rates of mortality which then prevailed still attend cholera and current epidemics in certain localities. The nature of disease and the climate are still the same as they were in London before the Revolution; and it is evident that if plague has disappeared, other zymotic diseases, but notably dysentery, scurvy, and fever, have declined. Cholera was on an average then as fatal as it has been recently, and probably much more fatal than it will be again if London be supplied with pure water. The nation

exults justly in the progress of its manufactures. But the progress of its manufactures is surpassed by the progress of the health of its capital. The improvement in the health of London has proceeded step by step with the amendment of the dietary, the drainage of the soil on which the houses stand, the purification of the water which the people drink; with the sweetening of the air; and with the progress of medical science, which is the source of sound sanitary doctrines. So long as these improvements are maintained, the diseases of the seventeenth century will not recur; and all further progress is in the hands of the people. They can work out their own salvation, with God's blessing. The causes of disease are numerous; but every one that has hitherto been discovered can be to a certain extent controlled. If by persevering in the exact observation and analysis of the diseases of the population, science succeeds in bringing to light the evils of unnatural diseases still existing, we may hope confidently that those evils will be averted; and that, rising from the Thames, the site of London, which was pronounced in the seventeenth century a field of blood and terror, will be a field of health, concourse, and security to the population of the metropolis of the empire.

Great Britain.

The returns of the Registrar-General of Scotland supply us with the materials for determining the rates of marriage, birth, and death in Great Britain. 377,700 persons married, 796,613 children were born alive, and 502,535 persons died in Great Britain during the year; so the natural increase of population arising from the excess of births over deaths was 294,078. The births and deaths are not yet registered in Ireland; but taking these into account, it is probable that the natural increase of the population of the United Kingdom exceeded 1000 a day. The marriage rate of Great Britain in the year was 1·650 per cent. on the population; or nearly ·098 higher than in the previous year, when the rate was 1·552. The birth rate was 3·482, or ·125 higher than it was in the previous year. The increase of the birth and of the marriage rates is noticeable both in England and Scotland. The mortality was at the rate of 2·196 per cent., or less by ·072 than the mortality (2·268) of the previous year. The increase of the marriage and birth rate, as well as the decrease in the rate of mortality, are all indications of improvement in the general condition of the population. His Royal Highness the General Commanding in Chief has favoured me with a return of the strength of the British army *abroad*, and of the deaths in its ranks. The mean strength was 123,709, and the deaths amounted to 4·150. Taking the due proportions for the parts of the army belonging to Great Britain, the mortality of the population, including the army abroad, was 22·02 in 1000.

The mortality of the population of France in the same year was at the rate of 26·70 in 1,000, which is considerably above the average of that Empire. M. Legoyt mentions among its principal causes the prevalence of dysentery, diphtheria, and of some other epidemical diseases. The marriage rate is rather lower in France than in Great Britain; the birth rate is much lower, and the death rate is higher; so that the natural increase of population is less in France than in Great Britain. The births in France amounted to 1,011,787; and estimating the number of births in Ireland at 238,208, the births in the United Kingdom amounted to nearly the same number, or 1,034,821. The deaths in France were

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972,556; while the deaths in the United Kingdom did not probably exceed 661,171.

Thus with an equal number of births, the deaths in the United Kingdom were less than the deaths in France, by about three hundred thousand. The salubrity of the soil and of the climate of France is unquestionable, and agricultural pursuits are in themselves favourable to health, but the system of protection has hitherto paralyzed industry in the towns; and the country is generally ill-provided with sanitary arrangements. We shall probably speedily see the effects of freedom in improving the health of the French people, and shall have to struggle hard ourselves to maintain sanitary superiority.

The mortality, according to the returns of the Registrar-General, of merchant seamen, is at the rate of nearly 2 per cent. (1·99), thus exceeding the mortality ashore at the corresponding ages, but not differing much from the rate prevailing among persons of all ages.

The number of persons living of the age of 21 and upwards was about 10,366,793 in the year 1858; out of whom 210,972 died in the year; and 21,060, or adding a number proportional to the time, for the wills omitted in the first ten days of January, 21,653 left behind them wills. So 189,319, or 9 persons in 10, left no wills; but in 9,170 of those cases letters of administration were taken out; so about 30,823 persons died who were declared in the court of probate to be possessed of personal estate, such as cash, shares of every kind, stocks, securities, policies, debts due to them, stock in trade, goodwill of trade, horses and carriages, wine, furniture, plate, books, pictures, and jewels; as well as the proceeds of real and leasehold estate directed to be sold. 180,149 left no property which came under the cognizance of the court. Thus of 100 persons 14·6 left declared property of this kind; and 85·4 left no such declared personal property, although they may have left land alone in some instances. Sons and daughters, as well as many wives, possess no property, but undoubtedly a large quantity of property passes to successors in small portions untaxed. And much personal property, evading the duty, passes by gift.

The average amount of property disposed of by each will was 2,998*l.*, or nearly 3,000*l.*, by each administration 759*l.*; so the larger properties were dealt with under wills. The average amount severally left at death by about 30,823 persons was 2,331*l.*: if the aggregate amount of property in the full year be taken at 71,860,792*l.*, including 64,904,744*l.* under wills, and 6,956,048*l.* under administrations. Of 102,049 men who died in the year, 15,558 left personal property under wills, 5896 under administrations; so 21,454 left declared property of this kind, and 80,595 left none.

For one man who left personal property, four left no amount of personal property according to the return; or, more exactly, of 100 men, 21·0 left personal property; 15·2 under wills, and 5·8 under administrations. Women leave less personal property than men. 108,923 women died of the age of 21 and upwards; of whom about 6,095 left personal property under wills, 3,274 left the same kind of property under administrations. Or out of 100 we had 5·6 leaving wills, 3·0 leaving property for which letters of administration were taken out. Then the average amount under the will of a woman is 1,793*l.*; and 587*l.* under letters of administration.

The several amounts of personal property have not been summed up; but with a view of showing its distribution approximately, an estimate has been formed on the principle that 806 properties sworn at sums above 4,000*l.* and under 6,000*l.*, are worth on an average 5,000*l.*, and are therefore worth in the aggregate 4,030,000*l.* The great properties of 100,000*l.* or more are taken at their sworn amounts. The whole of the properties, omitting those in the first ten days of January, are by this estimate worth 69,893,380*l.*; of which 57,396,350*l.* were left by men, and 12,497,030*l.* by women.

4,670 persons died worth 100*l.* and worth less than 200*l.* of personal property; and proceeding step by step, the numbers at the end are reduced to 7466 persons, each leaving 1,000*l.* and upwards, or 64,130,500*l.* in the aggregate. The 22,513 persons (=29,979—7,466) severally dying worth less than 1,000*l.*, left only 5,762,880*l.* in the aggregate.

We pursue the stream of wealth, until it is reduced to 44,120,000*l.* left by 1,189 persons, each dying possessed of 10,000*l.* and upwards of personal property, or of lands directed to be sold making those amounts. So 28,790 persons died, each worth something, but less than 10,000*l.*, and possessing 25,773,380*l.* in the aggregate. Again 587 persons, each possessing personal property sworn at sums of 20,000*l.* and upwards, had 35,090,000*l.* of the personal property of the country; whereas the other 29,392 persons died in the possession of 34,803,380*l.* So while the two masses of property are nearly equal, the numbers of the possessors are in the proportion of 50 leaving small fortunes (if we so designate properties worth less than 20,000*l.*) to one leaving the large fortune of 20,000*l.* and upwards. 67 properties are left worth 15,060,000*l.* in the aggregate, each property worth 100,000*l.* or more, and sworn at less than 1,000,000*l.* of personal property. In this year only one property was sworn at the highest figure, 1,000,000*l.*; but that sum has been exceeded in previous years. The probate tax is not levied *pro rata* on all properties; but is as a general rule levied at the lowest rates on the great properties. The possessors of the various properties are described in the usual legal phraseology, which is neither very definite nor very accurate. But it appeared to be well worth the while to classify the possessors of the various personal properties left under will or administration. The census classification was employed for the purpose.

Of 66 persons dying possessed of 100,000*l.* and upwards, one was a woman; 10 were peers and other titled persons. 37 are described as esquires or gentlemen; but solicitors will be able to say whether these designations are not applied to men who have made large fortunes by trade, commerce, and manufactures. It will be observed that the accumulated wealth of this country is in the hands of no one class of the community. It has been created and it is employed in every branch of industry. This analysis of properties is based on the probates, &c., of personal properties proved in England. It includes debts, and the properties are probably sworn at their full nominal value, so the amounts are overstated; but they can be checked by comparing the amount with the amount of personal property on which legacy duty was actually paid, not precisely but nearly in the same year. Here debts are deducted, and property passing to the husband or wife is omitted, as on it no duty is levied. The schedules which the department issues, as well as the 55 Geo. III. c. 184, and 22 & 23 Vict. c. 36., should be read by writers who wish to use these materials.

Only a part of the property of the country paid legacy duty until the year 1854, when the succession act passed. The tenure of landed property is by no means so simple as it might be; but the succession duty is levied "on real property, which includes all freehold, copyhold, customary, leasehold, and other hereditaments, whether corporeal or incorporeal." The "saleable value" and the "annual value" of each property is returned by the "successor" or trustee, and after this is scrutinized the taxable value is fixed by the department, on the assumption that this said value is equal to the value of annuities on the lives of the successors. The duty is paid by slow instalments, so the department alone can tell how much remains out of this account.

The property of the United Kingdom on which the legacy duty was paid in the year ending March 31st, 1859, amounted to 65,441,611*l*. What was the value of the real property on which the succession duty was paid? The Inland Revenue Department has not yet given that portion of their returns; but if we assume that the property is taxed on half its saleable value, it will amount in the aggregate to 58,485,260*l*, and even then the landed possessions at death are of probably less value than the property taxed as personal under the legacy act, after allowing for real property directed under will to be sold. Upon this assumption, 123,926,871*l* pass by death to every generation of successors. From this—after allowing for property passing by gift—may be obtained by approximation to the total value of the real and personal property of the United Kingdom existing in taxable portions, and in all the various forms—except that living and inherent in the population itself. But it would be futile to proceed further, as the required data will probably be supplied at an early period by the Inland Revenue department in their annual report.

CAUSES OF DEATH.

The causes of death were declared in 432,476 instances; in 2,821 cases death was sudden, but was not ascertained, and of the causes of 5,484 deaths no information was supplied.

1. *Zymotic Diseases*.—106,645 deaths were referred to this class of causes, which were fatal to 5 in 1000 of the population, and produced one fourth of the total deaths. Small-pox destroyed 3,848 people, chiefly children, who had not been vaccinated. It is an instance of the rigour with which the infringement of sanitary laws is visited; for the children perish, and the parents lose their offspring, by the neglect of a precaution of the simplest kind. 19,907, children chiefly, died of scarlatina; 9,587 of diphtheria. In the previous year 30,317 deaths are referred to the head of scarlatina; but they included 4,836 deaths stated to be by diphtheria, and 1,770 deaths declared to be by cynanche maligna or by some of the indefinite forms of sore throat.

Whooping-cough was fatal in 8,976 cases. The fever which was fatal in 15,877 cases, includes the three forms of continued fever: typhus generated and diffusible by the exhalations of people living in crowds; typhoid fever (typhia) diffused apparently by the fæces of the sick, and relapsing fever (typhina), all of which have been so well defined by Dr. Jenner. The diffusion of medical knowledge will render their analysis in the national tables practicable. Erysipelas is still of frequent occurrence; in a recent outbreak at the Winchester infirmary, its fatal effects

were traceable to a cesspool. Metria (puerperal fever) an allied disease, was unusually fatal; the deaths of 1,238 women were caused by that disease; and 2,258 by the other diseases incidental to child-bearing; which will be referred to subsequently. Carbuncle is less prevalent and fatal than it was; and happily influenza has not prevailed epidemically. Dysentery was fatal to 1,379 persons; diarrhoea to 18,331, cholera to 887. Cholera and more particularly diarrhoea were more fatal than they were in the previous year. This is partly accounted for by the high temperature of the summer quarter, acting on the impurities of the air and water. The temperature was $3\cdot3^{\circ}$ above the average of the season. Ague was more, remittent fever less than usually prevalent; to rheumatism 2,124 deaths were referred.

Syphilis is every year increasing in frequency; it is congenital. There can be no doubt that parents who have suffered from secondary syphilis often transmit the seeds of disease and death to their offspring. Hydrophobia is happily much less fatal than it was in former years; 4 persons died of the disease. In the last four years 14 persons died of hydrophobia; whereas 56 persons died of the same disease in the four years ending in 1855. Of glanders 3 persons died.

Passing to another order of facts, diseases directly referable to defective nutrition, 52 deaths are said to have resulted from privation, 1,017 from the want of breastmilk, 342 from purpura or scurvy. The feeding of children, whose mothers do not supply them with milk, is undoubtedly defective, and deserves the attention which it is now attracting from enlightened philanthropists.

We have but an imperfect conception of the number of deaths from excessive drinking; but 545 deaths were directly ascribed to delirium tremens, and 345 to intemperance. The deaths in the year from the two forms of alcoholism were 890; exceeding by 178 the deaths, 712, in the previous year. The high temperature probably increases thirst, and at the same time renders the action of alcoholic liquors more dangerous; for delirium tremens is much more fatal in the hot than in the cold months of the year. Thus in the twenty years, 1840-59, while the deaths ascribed to intemperance were equally distributed, the 2,546 deaths by delirium tremens were distributed over the four quarters unequally; 563, 655, 725, 603; the smallest number occurring in winter (563), the greatest in summer, giving 1,166 in the cold, 1,380 in the hot half of the year. During the last three years, 1858-60, we have this result: in the cold months from October to March, the deaths of 140 persons by delirium tremens were registered in London; in the hot months, from April to September, the deaths by the same disease were 204. The effect of the alcohol and the heat in producing delirium tremens is greatest at the age from 40 to 60; but it is also apparent at the earlier age of 20-40. In the tropics, the combined action of spirits and sun-heat often apparently produce what is called sunstroke or apoplexy.

Of the parasitic diseases thrush is the most fatal; and a great majority of the deaths were of infants under one year of age. The ova of worms must be derived generally from impure river waters into which the refuse of towns is poured; and although they do not frequently prove fatal, they are troublesome and nauseous, and often the cause of disturbance in the system. Scabies, and other skin diseases attended with parasites, require constant attention.

2. *Constitutional Diseases.*—Constitutional diseases killed 81,788 persons, chiefly in the middle and advanced periods of life; 16,433 of diathetic, 65,355 of tuberculous diseases. Gout is nearly stationary. Thanks to the more intelligent system of dining which the wealthier classes, wearied of this racking disease, will probably introduce, we may hope to see it rapidly decline. Dropsy and cancer exhibit changes which have been already ascribed to the progress of medical diagnosis. Tuberculous diseases, including phthisis or consumption, the most fatal of all, increased from the year 1850 to 1853, and since that year have again decreased, and most decidedly, if we take the increase of population into account. More than 3 in 1,000 of the population died of these diseases, which caused 15 out of every 100 deaths. Phthisis was the cause of 12 out of the 15 deaths.

3. *Local Diseases.*—These are chiefly inflammations, and the resulting changes of the principal organs of the body; they prevailed widely, and were fatal to 159,686 persons. The brain with its appendages, the heart and the respiratory system, are the vital organs of man; accordingly we find 54,531, 17,133, and 59,853 deaths referred to affections of the three systems. Of convulsions 25,954, chiefly children under one year of age, died. This symptom is striking and distressing, and unmistakable; but it is probably only part of the disease, which is the result of organic lesions, and local irritations that are never discovered. The irritation of teething, and the irritation arising from improper food, often give rise to convulsions in children. Cephalitis is most fatal in early life; epilepsy supervenes early, but it attains the highest degree of intensity in manhood; insanity follows; apoplexy and paralysis prove fatal at still more advanced ages. The statistics of the insane require to be specially studied, as where they die of consumption, or of other diseases, the deaths are returned under those heads.

Fright was returned as the cause of seven, grief of eight, rage of five, anxiety of one, mental shock of one, melancholy of forty-seven deaths. 23 deaths are referred to eye diseases; 67 to ear diseases, the ear organs being in almost immediate contact with the membranes of the brain. It is questionable whether the deaths of 34 males and of 20 females are due to idiopathic tetanus; for it is not improbable that the informant neglected to discover or to report the external cause in some instances. Only one death, of a young woman, by catalepsy, is recorded. Heart diseases, and diseases of the large blood vessels destroyed 8,508 males, and 8,625 females. Of aneurism 268 males, and 103 females died. The most fatal diseases of the respiratory organs are bronchitis and pneumonia; and these inflammations of the tubes and cells of the lungs, running into each other, are not always accurately distinguished. It is worthy of remark that while the deaths by pneumonia have risen in nine years from 20,303 to 24,514, the deaths from bronchitis rose from 14,611 to 25,998. And there is no corresponding or countervailing change either from consumption, or from the other pulmonary diseases.

The digestive organs are elaborate and subject to various kinds of disorders, which, however, are not so frequently fatal as those already mentioned. 19,842 persons died of diseases of the digestive organs; including 12,598 from the diseases of the stomach and intestinal canal, 22 from disease of the pancreas, 7,160 from liver disease, and 62 from spleen disease. Diseases of the urinary organs were the causes of 4,736

deaths. The deaths by the diseases of each of the next three orders of disease were nearly equal. The diseases of the organs of generation caused 1,199 deaths; exclusive of deaths by childbirth and syphilis, appearing under other heads. The diseases of the organs of locomotion, chiefly affecting the joints, produced 1,285 deaths; including 6 from exostosis, 4 from mollities ossium, and 55 from necrosis, which occurred in 37 men and 18 women. The diseases of the integumentary system induced 1,107 deaths, including those by phlegmon, ulcer, and several curious varieties of skin diseases.

4. *Developmental Diseases.*—We now enter upon a new order of diseases. They are attendant on the growth, nutrition, and development of the body, and are known as developmental diseases—of children (12,300), including premature birth, malformation, and teething; paramenia and childbirth follow (2,314), both incidental to women in the procreative age; and then senescence, the decay of old age, to which 27,104 deaths are referred. Atrophy, or an apparent cessation of nutrition, and debility, are the only facts to which the deaths of 27,990 persons, chiefly children, are referred.

5. *Violent Deaths.*—14,649 persons were killed by violence in the year. This is a sad confession for a nation humane, civilized, and skilled in all the arts, to make. It is exclusive of any deaths in warfare abroad. 13,056 of the deaths are ascribed to accident or negligence; 338 to homicide by coroners' juries; 1,248 to suicide, and 7 to public execution. Of the deaths by accident or negligence 5,482 were brought about by fractures and contusions, 2,978 by burns and scalds, 2,494 by drowning, 104 by gunshot wounds, 75 by cuts and stabs, 279 by poison, 952 by suffocation. Of 100,000 persons 75 die of violence annually. I referred in my nineteenth letter to the imperfect investigation of violent deaths arising from the unsatisfactory state of the coroner's office; and a subsequent inquiry has led to an improved arrangement for paying the coroners by salaries. We shall hope now to see great improvements in the returns of violent and sudden deaths; so that the information may throw new light on their causes, and form the basis of a thorough and searching inquiry into the subject.

Deaths by Lightning.—The electric force is distributed over the whole face of the country, and it differs in tension not only in different times, but at different places. We have no account of the trees, plants, or animals which it destroys by violent discharges in the several parts of the country; and it is only since the act for registration that any complete account of the deaths by lightning in England and Wales, has been obtainable.

BIRTHS, DEATHS, AND MARRIAGES IN SCOTLAND.

First detailed Annual Report of the Registrar-General of Births, Deaths, and Marriages in Scotland.

SCOTLAND is of an extremely irregular figure, and its mainland is so broken up by promontories, and indented by bays or friths, that, even at its most solid part, there are very few points which are above 40 miles distant from some part of the sea, and a much greater portion of the solid land lies

within 30 miles of salt water. The surface also of Scotland, unlike that of England, is, generally speaking, rugged and mountainous, and most of it so unfitted for the purposes of agriculture that it may be questioned whether more than a third of its surface could be rendered arable. Scotland, however, is surrounded by Islands on its northern and western sides, a considerable number of which are inhabited; while the remainder are so precipitous and inhospitable, that they only afford pasture to a few sheep during summer, or are altogether abandoned to the wild sea-fowl, which build their nests in great numbers among the inaccessible cliffs.

When the census of the population was taken in 1851, Major Dawson, R.E., estimated that Scotland and its islands contained 20,047,462 statute acres; but, from the imperfect manner in which the Scottish results were published, it is impossible now to pick out the particulars of county, so as to distinguish between the number of acres belonging to the mainland part of each county, and those belonging to the insular parts attached thereto. Even the general summary of the acreage for all Scotland was imperfectly given, inasmuch as, contrary to the plan pursued in England, all the channels of the sea contained between the several islands of Orkney and Shetland were included as part of the solid acreage of Scotland. Making such corrections as are now possible, and taking also the aid of M'Culloch's account of the British Empire, it may be stated that Scotland and its islands contain about 19,656,315 statute English acres, or 30,714 square miles, including inland lakes; of which quantity about 17,199,081 acres are on the mainland, and 2,457,234 distributed over about 386 islands, of which 155 are inhabited by one or more persons.

In 1851, the population of Scotland amounted to 2,888,742 persons of whom 1,375,479 were males, 1,513,263 females. Of that number 2,719,373 dwelt on the mainland, and 169,369 lived on the 155 inhabited islands. Only eight of the towns in Scotland contain populations exceeding 20,000 persons—viz., Glasgow, Edinburgh, Dundee, Aberdeen, Paisley, Greenock, Leith, and Perth; while 12 additional towns, together with 3 of what might be termed town districts, would include all the towns whose respective populations would exceed 10,000 inhabitants.

In 1855, the population of Scotland, estimated to the middle of the year, amounted to 3,005,958 persons, of whom 1,433,863 were males, and 1,572,095 females. For convenience of comparison, this population is divided into three great divisions—insular, mainland, and town populations according as the residence of the parties is on the islands, in the rural districts on the mainland, including the smaller towns with less than ten thousand inhabitants, and in the larger towns or districts so closely connected therewith that they could not be conveniently separated.

The population of the insular districts, including Orkney, Shetland, and the Western Isles, is estimated at 166,487 persons in 1855, of whom 76,760 were males, and 89,727 females; the population of the mainland districts is reckoned at 1,764,378 persons, of whom 858,541 were males, and 905,837 females; while the population of the town districts is estimated at 1,075,093 persons, of whom 499,553 were males, and 575,540 females.

BIRTHS.—93,349 births were registered in Scotland during the year 1855, giving the proportion of 310 births in every ten thousand persons of the estimated population. This, however, gives no true indication of the actual proportion, seeing that so many births escaped registration altogether during the earlier months of that year. It is useless, therefore to compare

the proportion of births to the population with that occurring in England or other countries, as thereby only false conclusions would be drawn; still, much valuable information may be elicited from the facts registered.

It has often pointed out, that wherever there is a great waste of life, there, by a wise provision of Providence, there is a greater number of births. This is confirmed by the registrations in Scotland during 1855. It is well known that the deaths in the towns are much more numerous in proportion to the population than those in the country; and that, notwithstanding of this, the population increases in the towns at a much more rapid rate than it does in the country. The relative proportion of births in town and country accounts for this. In the insular districts, where the population is very nearly stationary, there were only 224 births in every ten thousand of the population; in the mainland districts, where the population is slowly increasing, there were 302 births in every ten thousand persons of the population; while in the town districts, where the population is rapidly increasing, but where also the proportion of deaths is very high, there were 337 births in every ten thousand persons. This relation is so constant in every country and locality of which accurate statistics have been kept, that it must be regarded as one of the ascertained laws of vital statistics.

In all countries the male births exceed the female in number, the proportion varying in different years from 104 to 106 males to every 100 females. In 1855, there were registered in Scotland 47,804 male births, but only 45,545 female; being in the proportion of nearly 105 (104·9) males to every 100 females. This proportion varied, however, to a considerable extent in the insular, mainland, and town districts. Thus in the insular districts, 105·6 males were born to every 100 females; in the mainland districts, 106 males to every 100 females; while in the town districts the proportion was only 103·5 males to every 100 females. This fact, that the proportion of males is lower in the towns than in the country districts, has been long noticed, and various hypotheses have been advanced to account for it. The universality of the fact shows it must depend on some cause connected with a residence in towns, and that it has little or nothing to do with race, or with the age of the respective sexes at marriage, or with social or political institutions; and M. Giron de Buzareigne's conclusion, that it depends on the deterioration in the physical strength of the parents by a residence in towns, seems to afford as near a solution of the matter as our present knowledge enables to attain.

Of the 93,349 births, 7,357 were illegitimate; giving the proportion of 7·8 per cent. of the births as illegitimate. As this is a proportion lower than what has been ascertained to prevail in subsequent years, it goes far to show that a larger proportion of these than of the legitimate births escaped registration during the first few months the Act was in operation. The proportion of illegitimate births, however, in the several counties of Scotland varied very much; for, while those included in the northern and north-western divisions of Scotland only furnished 4·6 per cent. of the births as illegitimate, the proportion of illegitimate births was 11·9 per cent. in the counties included in the southern division, and 13 per cent. in those included in the north-eastern division. When first the fact of the large proportion of illegitimate births was made known through the quarterly reports, it excited a great deal of attention,—indeed, the interest has gone on increasing to the present day, and much crude theory has been started in the endeavour to account for the fact. As yet, however, we seem to be as far

as ever from the solution of the problem; and this, probably, in a great measure from the circumstance that we have only got at one of the numerous facts which bear on the case. Let us, then, endeavour to ascertain as many facts as possible which seem to bear on the subject.

In almost all the Continental States, whatever be the proportion of illegitimate births among the rural populations, it is especially in the towns that illegitimacy acquires enormous dimensions. Thus in France, though the strictly rural population on a ten years' average only exhibited 4 per cent. of illegitimate births, the 363 chief towns of France yielded 20·8 per cent. of the births as illegitimate, while in Paris 32·8 per cent. of the births were illegitimate. Take another instance. In Sweden, from 1850 to 1855, in the total population, 9·3 per cent. of the births were illegitimate; but in Stockholm, during the same period, 43·3 per cent. of the births were illegitimate. In Scotland, however, a somewhat opposite state of matters seems to prevail, inasmuch as in the rural districts on the mainland the proportion of illegitimate births is much higher than in the town districts. Thus, in the town districts, 7·1 per cent. of the births were illegitimate; but in the mainland districts, the proportion of illegitimate children was 8·6 per cent. of the births. The insular districts, however, proved a remarkable exception to this, and held what might almost be called the normal relation to the towns, inasmuch as in them only 4·3 per cent. of the births were illegitimate. This striking fact, then, of the inversion of the usual proportion of illegitimate births in the town and country districts, might induce the suspicion that illegitimacy in Scotland and illegitimacy on the Continent were to a great extent different things.

The first important fact to point out is, that in Scotland the illegitimate births are almost solely confined to the labouring classes; and that the mothers of such children chiefly consist of women employed about a farm or in agricultural labour, of factory girls, of domestic servants, and of persons engaged in needlework. This fact the registers of 1855 have made abundantly evident, although the exact number of each class in each county cannot be quoted, both because many of the registrars neglected to enter the occupation of the mother, and because the statistical staff is not sufficiently numerous to enable all the important particulars which would bear on this subject to be extracted from the register books. The registers, however, have been unable to throw any light on the very singular circumstance, that among every one of the above-named classes the tendency to illegitimacy is twice as great in the counties included in the north-eastern and southern divisions of Scotland, than among the corresponding classes of the great manufacturing and mining counties which constitute the south-western division. It may be mentioned, too, as an interesting fact, that few or no illegitimate births occur among that peculiar race which inhabits our fishing villages.

The table which gives the proportion of parties who signed the marriage register, shows the apparently anomalous fact manifested, that the counties which show the highest proportion of illegitimate births are the very counties which are in the highest condition as to education, in so far as such a conclusion can be drawn from the marriage register. And, on the other hand, the counties which produce the fewest illegitimate births are those where education is, speaking in a general way, at the lowest ebb. Thus, in Ross and Cromarty, where only 3·7 per cent. of the births were illegitimate, no fewer than 36·7 out of every hundred males, and 49·4

in every hundred females, could not write their own names. In Inverness, where only 5·6 per cent. of the births were illegitimate, 28·2 in every hundred males, and 45·6 in every hundred females, could not sign their own names. In Lanark, where only 6·5 per cent. of the births were illegitimate, 15 in every hundred males, and 30·2 in every hundred females, could not sign their names. While in Aberdeen, where no less than 13·1 per cent. of the births were illegitimate, only 2·2 in every hundred males, and 10·5 in every hundred females, could not sign their own names; and in Dumfries, where 13·5 per cent. of the births were illegitimate, only the small proportion of 3 in every hundred males, and 8·6 in every hundred females, could not sign their own names in the marriage register. This striking fact, then, proves that the large proportion of illegitimacy in these highly educated counties is not a sin resulting from ignorance and debasement; for every one who is acquainted with these counties knows how intelligent are the natives, and that, as moral beings, they are if anything of a somewhat higher cast than the generality of the inhabitants of those counties where illegitimacy is at a much lower ebb. A minute examination of the marriage returns would probably prove this to be the case, and show that the true explanation was, that while the counties in which illegitimacy was at a low ebb abounded in improvident marriages, the superior educational acquirements, and consequent more thoughtful habits engendered thereby, prevented these improvident marriages in the counties where illegitimacy was high, but that, unfortunately, the moral training had not been carried so far as to enable them to master their natural passions.

The same apparent close connection is not observed in England to anything like the same extent, probably from the circumstance that the education of the whole people is so much lower than that of the Scottish people, so that the educational element has much less power or influence in England than in Scotland. Let us take Dumfries and Aberdeen as examples of counties in which illegitimate births are in great excess, and contrast them in this respect with Lanark and Haddington, in which the proportion of illegitimate births is small. In Dumfries, while 13·5 per cent. of the births were illegitimate, marriages were in the low proportion of 53 in every ten thousand persons of the population. In Aberdeen likewise, while 13·1 per cent. of the births were illegitimate, marriages were in the low proportion of 61 in every ten thousand persons. In both these counties, then, though both are advancing rapidly in commercial and agricultural prosperity, agents were at work which pressed heavily as a check to marriage, and to which the educated population of these counties responded. Contrast then this with the state of matters in Haddington—a purely agricultural county, with a population nearly stationary—and with that in Lanark, the most busy and prosperous county in Scotland. In Haddington, only 8·1 per cent. of the births were illegitimate, and marriages took place in the proportion of 66 in every ten thousand of the population. In this county, therefore, the prudential check to marriage operated less strongly than in Dumfries or Aberdeen; more marriages, accordingly, took place, and just in the same proportion was the diminution of illegitimacy. In Lanark, again, only 6·5 per cent. of the births were illegitimate; but the marriages were so numerous that they amounted to 85 marriages in every ten thousand of the population. In this ill-educated county, then, there appeared to be scarcely any check on marriage; it may, therefore, safely be inferred that improvident marriages were common, and the natural consequence was

that the proportion of illegitimate births was very small indeed. From this it will be seen that we feel inclined to attribute no small proportion of the illegitimacy to the incontinence of youth, which in some counties finds its legitimate channel in marriage, though it may be in improvident marriage, while in others the prudential check operates so strongly that it results in illegitimacy.

But the same conclusion may be arrived at by regarding the subject from another point of view. It has been shown that illegitimacy is most common among the rural population. It may therefore be asked, whether any circumstances exist among the agricultural populations of those counties where the illegitimate births are most numerous, which act as a bar or check to marriage to a greater extent than in those counties where illegitimacy is less prevalent among the rural population? Now, it is a well known fact that the smaller the size of the farm, the more it is worked with the assistance of unmarried young men and women, who are fed in the house, and either sleep in the farm-house or offices, or, if the farm be larger, in bothies set apart for this purpose. In fact, it is only on the large farms that married men are employed; so that, in many districts, as soon as a young man marries he loses his situation as ploughman, and is forced to become a common labourer, dependent on his daily work for his daily bread. By a return published in the *Miscellaneous Statistics of the United Kingdom* in 1857, we learn the number of farms in the various counties of Scotland rated above 20 \textsterling , and the extent of land in each under a rotation of crops; and it is extremely instructive to see how closely, in many cases, the smallness of the average size of the farms in a county corresponds with the proportion of illegitimate births,—the smaller the average size of the farms, the greater being the number of the illegitimate births. Thus, in Banff, the farms paying 20 \textsterling and upwards of annual rental only average 64 acres each; and it may be argued that, as a natural consequence, there can be few situations in such farms for married men, and therefore the illegitimate births amounted to 13·6 per cent. of the total births. In Aberdeen, the average size of the farms which pay 20 \textsterling and upwards of rent yearly is only 66 acres, and hence we have 13·1 per cent. of the births illegitimate. In Dumfries, the average size of the farms paying 20 \textsterling and upwards is 87 acres only, and the proportion of illegitimacy is 13·5 per cent. of the births. In Kirkcudbright, the average size of the farms is 88 acres, and 12·0 per cent. of the births are illegitimate. Take, on the other hand, a few of the counties with larger farms, and on which a greater proportion of married men are employed, and compare the result. In the county of Edinburgh, the average size of the farms paying 20 \textsterling and upwards is 114 acres, and among the rural population only 6·8 per cent. of births are illegitimate. In Fife, the average size of the farms paying 20 \textsterling and upwards is 110 acres, and only 6·6 per cent. of the births are illegitimate. In Haddington, the average size of the farms paying 20 \textsterling and upwards is 219 acres, and only 8·1 per cent. of the births are illegitimate. Now, although these few startling facts convey some general idea of the apparent connection between the size of the farms and the proportion of illegitimacy, they fail to supply the fact which is chiefly wanted, and that is the relative number of small farms—farms which are cultivated by the tenants themselves, or with the aid of one or two assistants. Any one can at once see from the above statement that the state of matters on the large farms, on which alone the farm-servants are lodged in bothies, can have comparatively little influence on the pro-

portion of illegitimacy occurring in a county; and that it is not the large farms (which are comparatively few in number), and where the labourers lodge in bothies, but the small farms, which are laboured by the tenants themselves, or with the aid of one or two male or female assistants, who sleep in the house or offices, and are treated in all respects as one of themselves, which furnish the great proportion of illegitimate births in the rural districts.

All the statistics which have been published relative to illegitimacy on the continent of Europe, show that the proportion of males to females is less than among the legitimate births. Thus Quetelet has shown, from an extensive series of observations relative to eleven of the chief states of Europe, that while the legitimate births yielded 106 males to every 100 females, among the illegitimate births there were only 103 males to every 100 females. As illegitimacy in Britain is not quite the same thing as illegitimacy on the continent, it might be expected that even in this it would exhibit some difference; and accordingly in England, though the proportions differ considerably in consecutive years, on the average, while 104·5 males are born to every 100 females among the legitimate births, 104·8 males are born to every 100 females among the illegitimate. In so far as one year can show such a fact, Scotland seems to agree more with the continent of Europe, inasmuch as, while the legitimate births showed that 104·9 males were born to every 100 females, among the illegitimate births there were 104·5 males to every 100 females. The difference, however, in the divisions of Scotland, relative to the proportion of the sexes in the legitimate and illegitimate, was very great. Thus, in the insular districts, among the legitimate births there were 105·5 males to every 100 females; but among the illegitimate, 107·6 males to every 100 females. In the mainland districts, there were among the legitimate births 106·2 males to every 100 females; but among the illegitimate, 108·1 males to every 100 females. In the town districts, however, all this was reversed; for while among the legitimate births there were 103·5 males to every 100 females, among the illegitimate births there were only 98·3 males to every 100 females—being the doubly strange anomaly of the proportion of illegitimate males not only being much lower than among the legitimate children, but being absolutely fewer in number than the female illegitimate births. This circumstance, then, of the absolute preponderance of females among the illegitimate births in the town districts, affords the strongest possible confirmation of the truth of M. Giron de Buzareigne's conclusion, as to the weakening of the physical strength in the parents being the cause why the normal excess of male births (*viz.*, 105 males to 100 females) is not attained in towns; and such facts should afford a valuable hint to those who desire male progeny, seeing that they almost make it apparent that the female births preponderate in consequence of the want of development of the normal physical powers of the parents.

Though not agreeing with these registrars as to the causes of the prevalence of illegitimacy, or thinking that the remedies they propose would to any great extent abate the evil, it is perhaps due to them to state, that some suggest, that could the parents, without trouble or expense, register their marriage in some simple form, these cases of concubinage would cease to exist, and the children would be legitimated by the law of Scotland. Other registrars, who notice the same state of matters, are inclined to

attribute it to the high proclamation fees, which induce parties to cohabit without going through the form of marriage, rather than pay what they consider the exorbitant demand. The high proportion of illegitimacy, however, is attributed by others to the too easy law of marriage in Scotland, especially in so far as regards the subsequent legitimization of the child, as by that law all children born of the same parents previous to the marriage are legitimated by the parties subsequently marrying each other any time during life. They think that that law conduces to increase illegitimate births, inasmuch as the woman, knowing that the child which may be born will sustain no legal damage if she should succeed in getting its father subsequently to marry her, yields herself too easy a prey to him, taking her chance that the birth of a child will secure his consent to the marriage. For these and other reasons, certain parties have endeavoured to raise an agitation for an alteration in our marriage laws; and should such ever be done, it is to be hoped that no changes will be rashly made till their whole bearings on this important subject shall have been fully considered.

MARRIAGES.—19,680 marriages were contracted and registered in Scotland during 1855, which gives the proportion of 654 marriages in every hundred thousand of the population. This is a proportion very far below the marriage rate of England, which, on a ten years' average, shows that 846 marriages were contracted annually in every hundred thousand persons of the population. This is an extremely curious result, but one which is not accidental; indeed, it might have been suspected that such would be found to be the case, seeing what were the facts brought to light on this subject when the census was taken in 1851. It was then ascertained that, whereas, in England 34 in every hundred men, and 33 in every hundred women, were married, the proportion of the married in Scotland was only 30 in every hundred men, and 28 in every hundred women. This circumstance at once explains the fact of the much smaller proportion of women bearing children in Scotland than in England. For instance, in England, during 1855, there were in the proportion of 14·3 children born alive to every one hundred women between the ages of 15 and 45; but in Scotland, during the same year, only 12·7 children were born alive to every one hundred women at the same ages; or, to speak in a general way, there were, in an equal number of women who were from 15 to 45 years of age, 14 mothers in England for every 12 in Scotland.

Marriage is one of those events which is to a great extent influenced by external agencies, such as low price of food, plenty of work, briskness of trade, and consequently high wages. Accordingly, as the demand for labour of all kinds is much greater in towns, as there the population is increasing rapidly, and few need be idle who are willing to work, the proportion of marriages would naturally be expected to be much higher in them than in the country districts, where the population is nearly stationary, and room for a new family is only caused by the death of the old. Accordingly, it was found that, during 1855, marriages were contracted in the truly stationary populations of the insular districts in the low proportion of 434 marriages in every hundred thousand persons living; in the mainland districts, where the population was slowly increasing, at the rate of 572 marriages in every hundred thousand persons; while in the town districts, where the population was rapidly increasing and the demand for labour was great, the proportion was 827 marriages in a like population.

During the year, 8879 marriages were solemnized according to the rites of the Established Church of Scotland; 4,665 according to the rites of the free church; 292 according to those of the united Presbyterian church; 1,826 according to those of the Roman Catholic Church; 350 according to the rites of the Episcopal Church; 923 according to those of all the other numerous religious sects; and in 76 marriages no information on this point was given; while 9 were irregular marriages. Of the 19,680 marriages, 15,251 were contracted between bachelors and spinsters; 557 between bachelors and widows; 1,863 between widowers and spinsters; 619 between widowers and widows; and in 1,390 marriages the condition of the parties was omitted to be entered. Of the 19,680 males who married, 1,010 were under 20 years of age; and of these one was under 15 years of age, one was under 16 years, 12 were under 17 years, 73 under 18 years, 267 under 19 years, and 657 under 20 years of age. Most marriages took place among the males between the 20th and 25th year of life, 6,714 males having contracted marriage at that period of life. The next most common age for marriage with men was from 25 to 30 years of age, 5,832 males having married at that age. After this age, speaking in a general way, the number of marriages contracted by men diminished nearly a half every quinquennial period, until only 4 marriages were contracted by men between 75 and 80 years of age, and one by a patriarch between his 85th and 90th year of life.

Women, on the other hand, were, generally speaking, married at an earlier age than men; for whereas only 1,010 men entered into the married state under 20 years of age, 3,070 women, or more than three times the number of men, married at that early age. By far the largest number of women, however, entered the married state before the 25th year of life; of the total 19,680 women who married, 11,118 were under 25 years of age, 8,048 of these being between their 20th and 25th year of life. During the next quinquennial period, viz., from 25 to 30, only 4,914 women contracted marriage; being little more than half the number of women as compared with the number of the previous five years. After this the numbers went on diminishing by about a half during every quinquennial period till only 8 women contracted marriage when between 60 and 65 years of age, 4 between the ages of 65 and 70; while one spinster between 70 and 75 was the oldest woman married in Scotland during 1855.

The general rule of marriage seems to have been, that the advantage of age was on the side of the men; and this seemed to hold good with regard to the marriages of bachelors with spinsters, of widowers with widows, and quite remarkably so with regard to the marriages of widowers with spinsters. All this, however, was reversed in the case of the marriages of widows with bachelors; the general rule being, that the widow was the senior in age. Thus, whereas 110 of the bachelors who married widows were under 25 years of age, only 53 of the widows were under that age. There is no difficulty in understanding how this should be the case. The status which the widow had acquired by her former marriage presented inducements to the unsettled bachelor which gave the widow a great advantage over her unmarried sisters; and as power is dear to every heart, a younger member of the opposite sex was selected, as more likely to leave that power in her hand than if the chosen second husband had been her senior in years.

Of the 19,680 men who married during the year, only 2,244 signed the

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marriage register by mark; giving the very low proportion of 11·4 in every hundred men who could not write their own names. Of the 19,680 women who married during the year, 4,506 could not sign their own names, but signed the marriage register by mark; thus giving the proportion of 22·8 in every hundred women who could not write their own names. In other words, out of every hundred men, 88·6 were able to sign their names in the marriage register, while only 11·4 signed by mark; while out of every hundred women, 77·2 were able to write their names in the registers, while only 22·8 signed by putting their mark.

Considering all circumstances, this is a very creditable result for Scotland; and tends to show that the general education of the people of Scotland is ahead of England. Thus for the same year 1855, in every hundred men in England, only 70·5 could write their names in the marriage registers, while 29·5 were obliged to affix their mark. On the other hand, of every hundred women in England, only 58·8 could write their names in the marriage registers, while 41·2 had to affix their mark. It is a remarkable fact, that there is only one county in Scotland, viz., Ross and Cromarty, where the proportion of men who had to sign by mark was so high as the average of all England; and only three counties, viz., Shetland, Ross and Cromarty, and Inverness, where the proportion of women who had to sign by mark equalled or exceeded the common English mean. In not one of the English counties, in 1855, was the proportion who signed by mark so low as 10 in every hundred men, while in no fewer than 22 of the Scottish counties the proportion was below that low mean; while in two counties, Kinross and Selkirk, every man who married was able to write his name in the register.

DEATHS.—62,004 deaths were registered in Scotland during the year 1855, which gives the proportion of 206 deaths in every ten thousand persons of the estimated population. If this proportion, therefore, be at or near the average mortality, it will prove Scotland to be one of the very healthiest countries on the face of the globe. Even England, in which we might expect that very much the same amount of mortality might prevail, falls far behind Scotland in this respect; inasmuch as, while a ten years' average shows that 221 persons are cut off annually in every ten thousand persons, there were cut off during the year 1855 at the rate of 226 persons in every ten thousand inhabitants, or 20 more in the same number of persons than in Scotland during the same year.* It is a fact which has long been established, that the inhabitants of towns die at a much higher rate than the natives of the country; and, accordingly, the inhabitants of the insular districts of Scotland were only cut off at the rate of 161 in every ten thousand persons, the inhabitants of the mainland at the rate of 176

* Table showing the per centage of Deaths to the Population in some of the States or Kingdoms of Europe.

	Per cent. of Deaths.		Per cent. of Deaths.		Per cent. of Deaths.		Per cent. of Deaths.
Scotland ...	2 06	Sweden ...	2·33	Hungary ...	2·55	Spain ...	2·85
Denmark ...	2·11	France ...	2·36	Holland ...	2·76	Sardinia ...	2·91
Norway ...	2·17	Ionian Islands	2·35	Saxony ...	2·72	Bavaria ...	2·92
England ...	2·21	Dalmatia ...	2·32	Upper Austria	2·82	Tuscany ...	2·95
Hanover ...	2·30	Belgium ...	2·52	Prussia ...	2·83	Lower Austria	3·65

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deaths in every ten thousand persons, while in the towns 264 persons died during the year out of every ten thousand persons.

Sex appears to have a powerful influence in modifying the rate of mortality. Thus, while over all Scotland males died in the proportion of 213 out of every ten thousand male persons in the population, only 199 females died during the year out of a like number of females. This excess of male deaths was observed in the three great divisions of Scotland, though in one to a greater, in another to a lesser extent. Thus, in the insular districts, while 168 males died in every ten thousand males, only 156 females died out of the same number of females. In the mainland districts, however, the proportion of male and female deaths was nearly alike; for 178 males died in every ten thousand males, and 172 females in a like number of the female population. In the town districts, on the other hand, the waste of male life was much greater; seeing that 281 males died out of every ten thousand of the male population, while only 248 females died out of a like number of females. As the consumption of male life is, therefore, greater than that of female life, we cannot but admire the wisdom of that law of our physical being which provides that more males shall be born than females; seeing that, notwithstanding that excess, it happens that in every old state the living females exceed the males in number.

The first point of interest is the comparative mortality of the sexes at the different ages; and it is not a little interesting to observe that, at all ages, the proportion of male deaths to the population is greater than that of the female deaths. Thus, while in every ten thousand living, 608 males under 5 years of age died during the year, only 566 females were cut off at the same ages; from 5 to 10 years, 82 males, but only 78 females, died annually out of every ten thousand of each sex; from 10 to 15 years, 48 males, but only 45 females, were cut off out of every ten thousand of each sex living at these ages,—and this, in Scotland, proved the most healthy period of life—that at which the mortality attained a minimum—that at which the chances of death were least. From 15 to 20, the period of puberty, 72 males, but only 58 females, died in every ten thousand of each sex; so that even at that age, which is commonly thought to be the most trying to the female, her life was better than that of the male, she was less liable to be cut off. The next period of life, 20 to 30, is that when, if at all, female mortality would naturally be expected to exceed that of the male. But no! In Scotland, it appears that notwithstanding all the superadded dangers of childbirth, female life is, even then, more valuable than male life; for, while 91 males died out of every ten thousand males living at that age, the deaths among the females only amounted to 71 in every ten thousand living females. It is quite true that the English tables show that from 15 to 35 years of age female life in England is somewhat less valuable than male life, inasmuch as a ten years' average shows that, proportionally, more females than males die at these ages. But it by no means follows that the same law prevails in Scotland; for, though one year's results cannot be with certainty depended on as giving general averages, the difference between the mortality of the sexes is so striking, that it may be surmised that future years will only establish this interesting fact. In Scotland, then, from the period of birth up to 90 years of age, the female mortality is lower at every period of life than that of the male; and, were the facts not too few to afford even an approximation to a general result after that age, the same greater value of female life would be shown to prevail to the termination of life.

The most healthy period of life for both sexes is from 10 to 15 years of age. At that age the chances of death are only about half what they were during the previous, or during the subsequent, quinquennial periods. From birth up to 10 years of age the mortality diminishes year by year; but after the 15th year of life is past, the mortality slowly but steadily increases up to the 60th year of life. When once this period of life is passed, every progressive decennial period doubles the proportion of deaths till all are cut off.

The comparative healthiness of a country, district, town, or class, is accurately indicated by the proportion of deaths which occur annually in a certain population. But the same conclusion may be also arrived at, or rather that conclusion may be confirmed, by ascertaining the proportion of children under 5 years of age who are cut off annually out of those living at the same age. Children, from their more feeble constitutions, are more easily affected by the agencies which surround them than are adults; and hence the comparative mortality among them affords a tolerable indication of the sanitary state of the locality in which they reside, and of its social condition. It is quite true that exceptional circumstances might arise, when both the test of the proportion of deaths among the total population, and that among children under 5 years of age, might fail to indicate the true sanitary condition of a district or town; but the cases are so very few in which such exceptions do arise—if they have ever been observed—that the rule may be regarded as absolute. It is quite true that much misconception has arisen on this point; but this has originated not from the writings of statisticians or sanitary inquirers whose object was simply to elicit truth, but from the false reasonings of those special pleaders who, in order to spare their town or district the imputation of being in a bad sanitary condition, wished to get rid of the tell-tale hard facts of the excessive mortality, and tried to exclude from their calculations and sight all the death returns of those years during which any epidemic prevailed, crying out it was the exceptional, and not the constant and general case. These writers seem entirely to forget that epidemics are the very diseases which, more than any others, test the healthiness or unhealthiness, of a town or district; for it is a well-ascertained law regarding them, that just in proportion to the low sanitary condition of the locality, is the severity with which its inhabitants are handled by such epidemics. Moreover, it is a remarkable fact, that localities in this low sanitary condition are rarely long free of epidemics of one kind or other. It may be cholera one year, but next it may be small-pox, next typhus fever, and next again scarlatina. The epidemics may each several year be of the most opposite natures; but all equally show a preference for the district in the low sanitary condition, and each even selects the very hamlet, street, or block of houses whose inmates had been decimated by the previous epidemic. In the search for truth, then, the epidemic years must never be overlooked, but are to be regarded as our most valuable guide,—a guide which a kind Providence has wisely provided to call our attention to the fact, that some of the laws of health have been seriously disregarded in that locality.

Limiting, then, our present survey to the eight principal towns of Scotland, we find that, whether arranged according to the proportion of deaths to their respective populations, or according to the proportion of deaths among the children under 5 years of age, they arrange themselves in nearly

the same order; Aberdeen, as the healthiest, being at the head of both lists, Greenock, as the most unhealthy, being at the bottom of both.

				Per cent. of Deaths to Population.					Per cent. of Male Deaths under 5 years to male children living at same age.
Aberdeen	...	...	...	2·16	Aberdeen	...	...	...	5·35
Perth	...	...	...	2·33	Perth	...	...	...	6·43
Edinburgh and Leith	...	...	...	2·38	Edinburgh and Leith	...	...	...	7·89
Dundee	...	...	...	2·46	Paisley	...	...	...	9·51
Paisley	...	...	...	2·74	Dundee	...	...	...	10·12
Glasgow	...	...	...	2·96	Glasgow	...	...	...	12·13
Greenock	...	...	...	3·60	Greenock	...	...	...	15·22

There are in fact three modes of estimating the comparative healthiness of a district or of a town: first, by estimating the proportion of annual deaths to the living population; secondly, by estimating the proportion of deaths under 5 years to the living under 5 years; and thirdly, by ascertaining what proportion the deaths under 5 years bear to the total deaths. The latter course is only to be followed when we have no means of ascertaining the actual population; and it is satisfactory to know that, speaking in a general way, it gives a very close approximation to the truth.

The report contains also the causes of death, and is signed by the registrar, James Stark.

BILLS.

Dwellings for Working Classes.—To facilitate the grant or rate of small portions of entailed lands near great towns as sites for dwellings for the working classes, and for other purposes of a like beneficial or charitable nature. (Mr. Stanley and Mr. William Ewart.) 22nd April, 1861. (112.) Powers granted to owners of entailed or settled land to sell small portions of land not exceeding four acres in any one piece for the erection of dwellings for workmen, hospitals, dispensaries, reading or lecture rooms, or other objects generally beneficial.

Municipal Corporations' Act Amendment.—For amending the Municipal Corporations' Act. (Sir George Lewis and Mr. Clive.) 28th May, 1861. (152.) The mayor of every borough to be deemed to be the chief magistrate of such borough, and to have precedence over all justices of the peace. A justice of the peace shall be deemed to reside within the borough if he shall occupy any house, shop, or warehouse, or other premises within the borough, or within seven miles thereof.

Removal of Scotch and Irish Poor.—To amend the law relating to the removal of poor persons to Scotland and Ireland (Mr. Villiers and Mr. Gilpin), June 10, 1851 (179). All warrants of removal to be signed in petty sessions, or by the police magistrate. The warrant to contain name and particulars of the person removed. Women and children not to be removed as deck passengers during the winter months.

SERIES A.

Customs	£23,805,776	10	7
Excise	19,435,000	0	0
Stamps	8,348,412	9	4
Taxes (Land and Assessed)	3,127,000	0	0
Property Tax	10,923,816	7	9
Post Office	3,400,000	0	0
Crown Lands (Net) ...	290,568	4	7
Miscellaneous :—			
Produce of the Sale of Old Stores, and other Military and Naval extra Receipts	656,593	1	7
Money received from the Revenues of India for re- tired Pay, Pensions, &c.	60,000	0	0
Miscellaneous Receipts, including Imprest and other Monies... ..	412,525	6	7
Unclaimed Dividends re- ceived	83,982	8	10
Amount received from the Spanish Government, in discharge of the Balance of their Debt for War Stores supplied in the Years 1834-8	240,000	0	0
Total Revenue	70,283,674	9	3
Excess of Expenditure over Income in the Year ended 31st March, 1861	2,558,384	11	7
	£72,842,059	0	10

Interest and Management of the Permanent Debt	£23,742,184	8	6
Unclaimed Dividends paid	142,114	3	5
Terminable Annuities	1,946,632	14	2
Interest of Exchequer Bonds, 1855, &c.	100,000	0	6
Interest of Exchequer Bills, Supply	298,230	18	9
Interest of Exchequer Bills, Deficiency	1,856	5	0
Charges on Consol. Fund:—			
Civil List	403,160	0	0
Annuities and Pensions	345,771	19	7
Salaries and Allowances	155,932	14	1
Diplomatic Salaries and Pensions	172,457	14	1
Courts of Justice	700,575	8	0
Miscellaneous Charges on the Consolidated Fund	180,314	8	8
Expenses of Fortifications	50,000	0	0
Drawback on Wine	288,218	0	3
Supply Services:—			
Army	14,970,000	0	0
Navy (excluding Packet Service)	13,331,668	3	11
Mis. Civil Services	7,411,820	4	9
Salaries, &c., of Revenue Departments	4,487,447	17	8
Post Office Packet Service	1,069,778	0	0
China, Naval and Military Operations	3,043,896	0	0
Total Expenditure	£72,842,059	0	10

Balances in the Exchequer			
on the 31st March, 1860	£7,972,863	17	11
<i>Money Raised in the Year</i>			
<i>ended 31st March, 1861.</i>			
Funded Debt:—			
Amount raised for certain			
Fortifications, &c. ...	200,000	0	0
Unfunded Debt:—			
Exchequer Bills (Supply),			
in part of Grant of			
13,230,000l. ...			
Dated 12th June, 1860	7,220,600	0	0
Dated 11th March, 1861	4,863,500	0	0
Dated 11th March, 1861,			
applied in aid of Ways			
and Means Grants,			
1860-61 ...	1,000,000	0	0
Exchequer Bonds:			
Series G. ...	1,000,000	0	0
Series H. ...	594,000	0	0
Repayments for Bullion			
and Local Works...	627,203	14	8
	£23,478,167	12	7

Applied to the Reduction of Funded Debt, 24,250 <i>l.</i> 18 <i>s.</i> 2 <i>d.</i> ; Unfunded Debt (Exchequer Bonds) 1,000,000 <i>l.</i> ...	£1,024,250 18 2
Issued to the Paymaster-General :—	
In Exchequer Bills, to exchange Exchequer Bills (Supply) ...	13,223,400 0 0
(1,000,000 <i>l.</i> re-issued as per contra.)	
Excess of Expenditure over Income in the Year ended 31st March, 1861	2,558,384 11 7
Balances in the Exchequer on the 31st March, 1861	6,672,132 2 10

AN ACCOUNT of the GROSS PUBLIC INCOME of the UNITED KINGDOM of GREAT BRITAIN and IRELAND in the Year ended the 30th day of June, 1861, and of the ACTUAL ISSUES or PAYMENTS within the same Period, exclusive of the Sums applied to the Redemption of Funded or paying off Unfunded Debt, and of the Advances and Repayments for Local Works, &c. (Lord Monteagle of Brandon.) 9th July, 1861. (190.)

Customs	£23,394,400	0	0	Interest and Management of the Permanent Debt ...	£23,722,016	1	11
Excise	19,492,000	0	0	Unclaimed Dividends paid	65,667	18	11
Stamps	8,466,170	12	0	Terminable Annuities ...	1,939,203	15	2
Taxes (Land and Assessed)	3,136,000	0	0	Interest Exch. Bonds, 1855	100,000	0	0
Property Tax	12,423,000	0	0	Interest Exch. Bills, Supply	310,606	18	1
Post Office	3,400,000	0	0	Interest of Exchequer Bills, Deficiency	1,856	5	0
Crown Lands (Net) ...	291,568	4	7	Charges on Consol. Fund :—			
Miscellaneous :—				Civil List	403,822	10	0
Produce of the Sale of Old Stores, and other Military and Naval extra Receipts	676,331	7	2	Annuities and Pensions	336,557	13	1
Money received from the Revenues of India for Retired Pay, Pensions, &c., per Act 4 Geo. IV., c. 71	45,000	0	0	Salaries and Allowances	155,591	7	9
Miscellaneous Receipts, including Imprest and other Moneys	506,547	16	7	Diplomatic Salaries, &c.	170,827	0	10
Unclaimed Dividends received	32,477	3	0	Courts of Justice ...	699,490	14	8
Total Revenue	71,863,095	3	4	Miscellaneous Charges :—			
Excess of Expenditure over Income in the Year ended 30th June, 1861 ...	1,036,231	1	6	Drawback on Wine ...	114,218	0	3
	£72,899,326	4	10	Expenses of Fortifications	150,000	0	0
				Other Charges... ..	181,442	18	8
				Supply Services :—			
				Army	15,095,868	11	2
				Navy (excl. Packet Serv.)	12,668,042	7	3
				Mis. Civil Services ...	7,870,844	8	1
				Salaries, &c.	4,549,595	14	0
				Post Office Packet Service	1,319,778	0	0
				China, Naval and Military Operations	3,043,896	0	0
				Total Expenditure	£72,899,326	4	10

AN ACCOUNT of the BALANCES of the PUBLIC MONEY remaining in the EXCHEQUER on the 30th day of June, 1860; the AMOUNT of MONEY RAISED by ADDITIONS to the FUNDED and UNFUNDED DEBT in the Year ended the 30th day of June, 1861; the MONEY APPLIED towards the REDEMPTION of FUNDED or Paying off UNFUNDED DEBT; the TOTAL AMOUNT of ADVANCES and REPAYMENTS on Account of LOCAL WORKS, &c., with the DIFFERENCE accruing thereon, and the BALANCES in the EXCHEQUER on the 30th day of June, 1861.

Balances in the Exchequer on the 30th June, 1860	£6,594,771	5	4	Applied to the Reduc- tion of Funded Debt	24,635 <i>l.</i> 1 <i>s.</i> 7 <i>d.</i> ; Un- funded Debt (Exchequer Bonds) 1,000,000 <i>l.</i> ...	£1,024,635	1	7
Money Raised in the Year ended 30th June, 1861.				Issued to the Paymaster- General :—				
Funded Debt :—				In Exchequer Bills, to ex- change Exchequer Bills (Supply)	10,926,500	0	0	
Amount raised for con- structing certain Forti- fications, &c....	360,000	0	0	In Money, out of Ways and Means Grants, to pay off Exchequer Bills (Supply)	2,245,200	0	0	
Unfunded Debt :—				Excess of Expenditure over Income in the Year ended 30th June, 1861	1,036,231	1	6	
Exchequer Bills (Supply):				Balances in the Exchequer on the 30th June, 1861	5,838,831	19	5	
Dated 11th March, 1861	4,863,500	0	0					
Dated 11th March, 1861, to replace, in part, Bills paid off in Money	1,000,000	0	0					
Dated 11th June, 1861,	6,063,000	0	0					
Exchequer Bonds:								
Series G.	1,000,000	0	0					
Series H.	594,000	0	0					
Repayments for Bullion and Local Works...	596,126	17	2					
	£21,071,398	2	6			£21,071,398	2	6

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TRADE AND NAVIGATION.

AN ACCOUNT of the IMPORTS of the PRINCIPAL ARTICLES of FOREIGN and COLONIAL MERCHANDISE, in the Six Months ended 30th June, 1861.

Articles Free of Duty.

Animals, Living ...	number	79,215	Oil (cont.):—		
Ashes	cwts.	18,890	Palm	cwts.	195,149
Bark	"	114,906	Cocoa Nut	"	122,157
Bones	tons	26,068	Olive	tuns	7,667
Brimstone... ..	cwts.	383,287	Seed Oil, of all kinds	"	2,960
Bristles	lbs.	150,793	Oil Seed Cakes	tons	53,913
Caoutchouc	cwts.	24,553	Potatoes	cwts.	136,418
Clocks and Watches:—			Provisions:—		
Clocks	number	126,845	Bacon and Hams	"	326,970
Watches	"	77,317	Beef, Salt	"	84,564
Cotton, Raw	cwts.	6,857,857	Pork, Salt	"	75,053
Cotton Manufactures ...	value	£402,978	Butter	"	380,933
Cream of Tartar	cwts.	14,557	Cheese	"	226,865
Dyes and Dyeing Stuffs:—			Eggs	number	110,085,120
Cochineal	cwts.	12,077	Lard	cwts.	203,018
Indigo	"	30,016	Quicksilver	lbs.	1,129,912
Lacdye	"	2,930	Rice, not in the husk ...	cwts.	1,096,537
Logwood	tons	9,602	Saltpetre	"	116,175
Madder and Madder			Cubic Nitre	"	233,564
Root	cwts.	155,770	Seeds:—		
Garancine	"	9,809	Clover	"	146,795
Shumac	tons	7,582	Flaxseed and Linseed	qrs.	466,038
Terra Japonica, or			Rape	"	114,947
Gambier	"	3,034	Silk:—		
Cutch	"	1,442	Raw	lbs.	4,787,831
Valonia	"	6,270	Waste, Knubs, and		
Elephants' Teeth	cwts.	4,706	Husks	cwts.	11,641
Flax, and Tow or Codilla			Thrown	lbs.	48,093
of Flax	"	365,770	Silk Manufactures of Eu-		
Fruit—Lemons & Oranges	bushels	854,689	rope:—		
Guano	tons	89,255	Broad Stuffs: Silk or		
Hair:—			Satin	"	484,672
Goats' Hair or Wool ...	lbs.	1,081,886	Broad Stuffs: Gauze,		
Manufactures of Hair			Crape, and Velvet.	"	24,701
and of Goats' Wool	value	£177,805	Ribbons, of all kinds.	"	370,373
Hemp:—			Plush for making hats	"	49,451
Hemp and Tow	cwts.	138,948	Silk Manufactures of India:—		
Jute	"	400,858	Bandannas, Corahs,		
Hides, Untanned:—			Choppas, Tussore		
Dry	"	108,359	Cloths, Romals, and		
Wet	"	119,518	Taffaties	pieces	51,365
Hides, Tanned, Tawed,			Spices:—		
Curried, or Dressed (ex-			Cassia Lignea	lbs.	176,718
cept Russia Hides) ...	lbs.	2,043,868	Cinnamon	"	352,282
Leather Manufactures:—			Cloves	"	25,351
Boots, Shoes, and Go-			Ginger	cwts.	2,652
loshes of all kinds.	pairs	150,531	Nutmegs	lbs.	270,571
Boot Fronts	"	232,740	Pimento	cwts.	14,566
Gloves	"	3,184,320	Tallow	"	259,164
Metals:—			Tar	lasts	1,789
Copper Ore	tons	35,307	Turpentine, Common ...	cwts.	93,153
Copper Regulus	"	6,249	Wool:—		
Copper Unwrought			Sheep and Lambs' ...	lbs.	57,694,430
and part Wrought.	cwts.	105,400	Alpaca and the Llama	"	1,349,003
Iron, in Bars, un-			Woollen Rags, torn up to		
wrought	tons	7,309	be used as Wool	"	6,682,144
Steel, unwrought	"	1,347	Woollen Manufactures:—		
Lead, Pig and Sheet .	"	7,920	Manufactures not		
Spelter or Zinc	"	8,584	made up	value	£364,157
Tin	cwts.	22,851	Shawls, Scarfs, and		
Oil:—			Handkerchiefs ...	lbs.	310,522
Train, Blubber, and			Yeast, dried	cwts.	43,200
Spermaceti	tuns	4,406			

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Articles Subject to Duty.

Cocoa lbs.	5,787,180	Sugar, Unrefined (cont.):—	
Coffee "	30,370,736	Total of Sugar, Unrefined cwts.	4,815,900
Corn:—		" Refined, and Sugar Candy "	106,480
Wheat qrs.	3,664,529	Cane Juice "	46,693
Barley "	913,322	Molasses "	542,036
Oats "	896,458	Tea lbs.	58,384,894
Peas "	199,545	Timber and Wood:—	
Beans "	256,531	Deals, Battens, Boards, or other Timber, or Wood sawn or split	loads
Indian Corn or Maize "	1,347,224	Staves, not exceeding 72 inches long "	822,440
Wheat Meal and Flour cwts.	3,677,461	Timber or Wood not sawn or split or otherwise dressed, except hewn, and not otherwise charged with Duty	"
Indian Corn Meal "	3,099	Tobacco:—	311,906
Fruit:—		Stemmed lbs.	1,422,487
Currants "	179,958	Unstemmed "	9,621,656
Raisins "	105,960	Manufactured, and Snuff "	1,488,223
Hops "	25,223	Wine:—	
Mahogany tons.	23,512	Red galls.	2,722,647
Spices:—		White... .. "	3,399,685
Pepper lbs.	4,171,688		
Spirits:—			
Rum proof galls.	3,409,429		
Brandy "	971,064		
Geneva "	60,640		
Sugar, Unrefined:—			
1st Quality (equal to White Clayed) cwts.	33,972		
2nd Quality (not equal to White, but equal to Brown Clayed)... .. "	1,935,097		
3rd Quality (not equal to Brown Clayed "	2,846,831		

AN ACCOUNT of the COMPUTED REAL VALUE of the PRINCIPAL ARTICLES of FOREIGN and COLONIAL MERCHANDISE Imported in the Six Months ended 30th of June, 1861.

Coffee, Raw £	912,855	Indigo £	1,000,577
Corn:—		Metals:—	
Wheat	10,344,939	Copper Ore	603,015
Barley	1,443,983	Copper Regulus	252,193
Oats	1,024,292	Iron in Bars, Unwrought	82,927
Peas	377,897	Lead, Pig and Sheet	156,694
Beans... ..	480,264	Spelter	163,753
Indian Corn or Maize	2,212,098	Tin	139,210
Wheatmeal and Flour	2,998,554	Oil:—	
Cotton, Raw	23,509,532	Train, Blubber, and Spermaceti	303,948
Cotton Manufactures not made up	402,978	Palm	430,898
Flax (dressed and undressed, and Tow or Codilla of Flax)	997,779	Olive	439,789
Fruit:—		Oil Seed Cakes	444,702
Currants	190,825	Provisions:—	
Raisins	148,781	Bacon	795,513
Guano	1,005,982	Butter	1,905,283
Hemp:—		Cheese	581,202
Hemp (dressed and undressed), and Tow or Codilla of Hemp	176,505	Rice, not in the Husk	694,297
Jute, and other vegetable substances of the nature of Hemp.	315,136	Saltpetre	177,582
Hides, Untanned:—		Cubic Nitre	148,704
Dry	397,285	Seeds, Flax and Linseed... ..	1,180,016
Wet	286,186	Silk:—	
Tanned, tawed, curried, or dressed (except Russia Hides)	141,848	Raw	4,279,705
		Thrown	82,749
		Spirits:—	
		Rum	339,743
		Brandy	417,267
		Geneva	6,099

Sugar, Unrefined:—			not otherwise charged	
1st Quality (equal to White Clayed)	£51,236		with duty	£1,062,965
2nd Quality (not equal to White, but equal to Brown Clayed)	2,539,373			
3rd Quality (not equal to Brown Clayed)	3,179,315			
Refined, and Sugar Candy	184,857			
Molasses	288,196			
Tallow	709,814			
Tea	3,774,873			
Timber and Wood:—				
Deals, Battens, Boards, or other Timber or Wood, sawn or split	1,087,223			
Timber or Wood, not sawn or split, or otherwise dressed, except hewn, and				
			Total	£82,266,349

AN ACCOUNT of the EXPORTS of the PRINCIPAL ARTICLES of FOREIGN and COLONIAL MERCHANDISE in the Six Months ended 30th June, 1861.

Cheese	cwts.	3,342	Silk Manufactures of	
Cocoa	lbs.	1,784,329	Europe:—	
Coffee:—			Broad Stuffs: Silk or	
Of British Possessions	"	13,957,983	Satin	lbs. 3,887
Foreign	"	3,453,134	Broad Stuffs: Gauze,	
Corn:—			Crape, and Velvet	" 840
Wheat	qrs.	19,972	Ribbons of all kinds	" 4,779
Wheatmeal or Flour	cwts.	9,062	Silk Manufactures of India:	
Cotton, Raw	"	1,227,289	Tussore Cloths	pieces 56,587
Cotton, Manufactures ...	value	£76,748	Spices:—	
Dyes and Dyeing Stuffs:—			Cassia Lignea	lbs. 290,601
Cochineal	cwts.	7,275	Cinnamon	" 343,085
Indigo	"	26,335	Cloves	" 66,897
Lac dye	"	2,012	Ginger	cwts. 1,590
Logwood	tons.	843	Nutmegs	lbs. 151,212
Terra Japonica	"	906	Pepper	" 3,362,275
Cutch	"	554	Pimento	cwts. 13,255
Fruit:—			Spirits:—	
Currants	cwts.	28,578	Rum	proof gals. 921,020
Raisins	"	20,773	Brandy	" 313,655
Guano	tons	7,116	Geneva	" 54,377
Hides:—			Unenumerated, not sweetened	" 82,909
Untanned, Dry	cwts.	95,703	Mixed in Bond	" 453,640
" Wet	"	34,655	Sugar:—	
Hops	"	2,290	Unrefined	cwts. 209,853
Leather Manufactures:—			Refined and Candy ...	" 18,650
Gloves	pairs	46,716	Molasses	" 70,807
Metals:—			Tallow	" 14,892
Copper	cwts.	33,670	Tea	lbs. 5,485,617
Tin	"	8,026	Tobacco:—	
Oil:—			Stemmed	" 71,610
Palm	"	49,142	Unstemmed	" 2,750,812
Cocoa Nut	"	103,120	Manufactured, and Snuff	" 751,524
Olive	tuns	946	Wine:—	
Quicksilver	lbs.	869,717	Red	galls. 349,963
Rice, not in the Husk ...	cwts.	759,748	White	" 559,902
Saltpetre	"	8,862	Mixed in Bond	" 23,316
Seed:—			Wool:—	
Flax and Linseed	qrs.	63,769	Sheep and Lambs' of	
Rape	"	46,516	British Possessions	lbs. 20,899,359
Silk:—			Foreign	" 1,959,484
Raw	lbs.	2,521,768	Alpaca and the Llama	
Waste, Knubs, and			Tribe	" 32,226
Husks	cwts.	115	Woollen Manufactures ...	value £12,864
Thrown	lbs.	47,454		

**AN ACCOUNT of the EXPORTS of the PRINCIPAL and OTHER ARTICLES of
BRITISH and IRISH PRODUCE and MANUFACTURES in the SIX MONTHS
ended 30th June, 1861.**

ARTICLES.	Quantities.	Declared Value.	ARTICLES.	Quantities.	Declared Value.
Apparel and Slops:—		£	Cotton Yarn:—		£
To British Possessions			To Russia lbs.	1,147,440	72,192
In South Africa . . value £	..	81,819	Prussia "	7,711,202	262,008
Australia "	..	516,128	Hanover "	1,157,512	65,525
Other Countries "	..	853,263	Hanse Towns "	14,538,165	714,997
Beer and Ale:—			Holland "	17,070,199	996,980
To United States . . barrels	4,811	20,501	Belgium "	668,809	45,761
British East Indies . . "	89,405	182,781	Tuscany "	3,176,066	121,935
Australia "	82,890	324,749	Papal Territories . . "	1,286,660	49,756
Other Countries "	79,738	302,040	Naples and Sicily . . "	6,799,734	272,943
Books, Printed cwt.	12,801	202,629	Austrian Territories . . "	2,311,056	100,000
Butter lbs.	50,461	251,844	Turkey "	4,497,227	202,740
Candles, Stearine "	2,712,111	124,780	China and Hong Kong . . "	5,291,530	226,262
Cheese cwt.	14,523	61,651	British India:—		
Coals and Culm:—			Bombay "	2,490,120	120,403
To Russia tons	198,082	84,246	Madras "	1,459,542	87,344
Denmark "	279,374	112,145	Bengal "	8,260,553	480,905
Prussia "	194,061	76,446	Singapore, &c. . . . "	1,006,963	62,727
Hanse Towns "	303,426	120,034	Ceylon "	99,250	7,222
Holland "	104,590	42,220	Other Countries "	9,047,243	484,182
France "	746,222	313,015	Earthenware and Porcelain:—		
Spain and Canaries . . "	249,488	128,068	To United States . . value £	..	160,368
Turkey "	68,148	31,246	Brazil "	..	22,910
United States "	202,610	122,015	British N. America . . "	..	48,421
Other Countries "	1,420,021	685,601	" East Indies "	..	47,207
Cordage and Cables . . cwt.	47,784	91,965	" Australia "	..	26,012
Cottons: Calicoes, Cambrics, and Muslins, Fustians and Mixed Stuffs:—			" Other Countries "	..	245,130
To Hanse Towns . . . yards	24,568,504	442,123	Fish, Herrings:—		
Holland "	22,078,841	402,923	To Prussia barrels	12,674	20,664
Portugal, Azores, and Madeira "	37,167,371	475,618	Hanover "	1,147	1,535
Sardinia "	13,024,546	205,946	Other Countries "	27,667	26,672
Tuscany "	12,092,170	197,809	Fish, Other Sorts . . value £	..	29,956
Naples and Sicily "	24,568,084	408,641	Furniture "	..	96,960
Austrian Territories "	7,057,090	105,417	Glass, Flint cwt.	41,556	110,486
Turkey "	48,986,983	679,808	Glass, Window "	20,914	27,415
Syria and Palestine "	26,806,991	229,946	Glass, Common Bottles . . "	294,162	180,126
Egypt "	42,426,907	494,475	Glass, Plates value £	..	22,052
West Coast of Africa, not particularly designated "	11,791,003	172,582	Haberdashery and Millinery:—		
United States "	56,164,026	975,046	To Egypt value £	..	56,964
Foreign West Indies "	24,381,184	397,612	United States "	..	478,708
Mexico "	12,706,269	218,233	Channel Islands "	..	64,949
New Granada "	14,400,817	207,066	British N. America "	..	164,251
Brazil "	79,129,377	1,164,602	" West Indies "	..	62,944
Buenos Ayres "	28,214,269	428,548	" Possessions in South Africa "	..	85,074
Chili "	24,265,080	322,222	" East Indies "	..	57,107
Peru "	17,532,723	259,219	" Australia "	..	256,272
China and Hong Kong "	160,551,726	2,136,453	" Other Countries "	..	261,912
Java "	26,602,806	412,272	Hardware and Cutlery:—		
Philippine Islands "	21,912,417	365,072	To Russia cwt.	14,565	68,575
Gibraltar "	10,105,455	170,651	Hanse Towns "	12,070	79,220
British N. America "	15,576,078	255,501	France "	10,427	78,955
" West Indies "	20,899,523	292,872	United States "	29,201	291,476
" Possessions in South Africa "	7,757,481	150,785	Cuba "	10,538	34,262
" East Indies:—			Brazil "	19,782	68,702
Bombay "	125,502,988	1,575,586	British N. America "	22,181	92,682
Madras "	6,689,377	99,573	" Possessions in South Africa "	..	16,409
Bengal "	192,262,781	2,405,204	" East Indies "	..	26,024
Singapore, &c. "	22,828,475	225,984	" Australia "	..	41,464
Ceylon "	11,916,788	204,761	" Other Countries "	..	123,418
Australia "	14,936,702	226,516	Jute, manufactures, not made up yards	666,895	14,262
Other Countries "	102,247,519	1,548,868	Jute, manufactures, made up value £	..	4,459
Cotton Lace and Patent Net . . . value £	..	124,260	Jute, yarn lbs.	2,157,968	29,623
" Stockings dos. pairs	429,269	121,021	Leather, Tanned, Unwrought cwt.	17,426	157,749
" Counterpanes and Small Wares (except Stockings) . . value £	..	167,401	Leather, Wrought:—		
" Thread for Sewing . lbs.	2,740,689	289,801	To Australia lbs.	1,859,616	432,065
			Other Countries "	1,015,519	192,620
			Leather, Saddlery, and Harness:—		
			To British East Indies value £	..	11,709
			Australia "	..	60,177
			Other Countries "	..	69,691

ARTICLES.	Quantities.	Declared Value.	ARTICLES.	Quantities.	Declared Value.
Linens (Cloths of all kinds and Cambrics):—			Iron—cont.		
To Hanse Towns . . . yards	5,560,946	156,501	United States . . . tons	8,586	106,300
United States . . . "	12,069,993	392,728	British N. America . . . "	8,359	106,218
Cuba . . . "	4,431,291	143,815	" East Indies . . . "	14,432	255,230
St. Thomas . . . "	1,709,607	48,006	Australia . . . "	5,731	131,730
Brasil . . . "	4,688,541	110,746	Other Countries . . . "	34,462	542,042
British West Indies . . . "	2,336,941	53,530	Iron, Steel, Unwrought:—		
" East Indies . . . "	1,453,381	62,172	To United States . . . "	5,800	174,362
Australia . . . "	2,124,231	75,285	Other Countries . . . "	5,770	188,579
Other Countries . . . "	26,478,059	864,226	Copper: Unwrought, in Bricks, Pigs, &c.:—		
Linens, Lace of Thread value £		1,658	To Holland . . . cwts.	2,317	10,513
Linens Thread . . . lbs.	1,332,082	189,323	Belgium . . . "	3,715	18,504
Linens Tapes and small wares . . . value £	..	5,656	France . . . "	27,048	142,253
Linens Yarn:—			Other Countries . . . "	11,323	57,800
To Hanse Towns . . . lbs.	2,655,144	209,805	Copper, Sheets and Nails (including Mixed or Yellow Metal):—		
Holland . . . "	1,295,806	68,409	To Hanse Towns . . . "	8,175	36,850
Belgium . . . "	533,656	26,568	Holland . . . "	10,586	48,161
Spain and Canaries . . . "	4,406,323	228,788	Turkey . . . "	1,111	5,946
Other Countries . . . "	4,438,783	228,910	United States . . . "	1,645	7,603
Machinery: Steam Engines:—			British East Indies . . . "	57,637	293,141
To Russia . . . value £	..	62,082	Other Countries . . . "	63,095	311,585
Spain . . . "	..	143,403	Copper, Wrought, or other Sorts . . . "	18,873	109,445
British East Indies . . . "	..	170,039	Brass of all Sorts . . . "	14,355	80,564
Australia . . . "	..	34,660	Lead: Pig, Rolled and Sheet, and Lead Shot:—		
Other Countries . . . "	..	166,491	To Russia . . . tons	1,077	23,421
Machinery: Other Sorts:—			France . . . "	581	12,302
To Russia . . . "	..	171,808	United States . . . "	66	1,451
Hanse Towns . . . "	..	63,737	China and Hong Kong . . . "	3,217	70,319
Holland . . . "	..	69,066	British East Indies . . . "	566	13,508
Belgium . . . "	..	68,145	Australia . . . "	747	17,122
France . . . "	..	162,261	Other Countries . . . "	2,465	58,894
Spain . . . "	..	90,823	Lead Ore, Red and White, and Litharge of Lead	2,730	71,015
British East Indies . . . "	..	206,624	Tin, Unwrought . . . cwts.	26,961	166,867
Australia . . . "	..	54,305	Tin Plates:—		
Other Countries . . . "	..	441,909	To United States . . . value £	..	214,145
Metals: Iron, Pig:—			British East Indies . . . "	..	20,808
To Prussia . . . tons	14,019	36,312	Australia . . . "	..	13,289
Holland . . . "	26,701	70,115	Other Countries . . . "	..	228,083
France . . . "	54,236	149,306	Oil, Seed:—		
United States . . . "	21,765	58,076	To Hanse Towns . . . galls.	436,187	49,095
Other Countries . . . "	78,734	207,430	Holland . . . "	634,297	71,879
Iron, Bar, Bolt, and Rod:—			France . . . "	1,153,999	144,500
To Hanse Towns . . . "	3,037	27,033	United States . . . "	12,728	1,920
Holland . . . "	4,952	26,064	Other Countries . . . "	2,217,226	276,348
France . . . "	6,417	45,387	Painters' Colours . . . value £	..	237,535
Sardinia . . . "	8,204	54,449	Pickles and Sauces . . . "	..	110,310
Naples and Sicily . . . "	7,978	52,569	Plate, Plated Ware, Jewellery, and Watches . . . "	..	204,263
Turkey . . . "	1,791	10,833	Salt:—		
United States . . . "	17,595	120,728	To Russia . . . tons	37,907	23,036
British N. America . . . "	13,283	97,184	United States . . . "	96,218	44,892
" East Indies . . . "	23,167	164,053	British N. America . . . "	67,053	29,527
Australia . . . "	4,748	40,238	" East Indies . . . "	94,501	59,911
Other Countries . . . "	39,245	299,255	Other Countries . . . "	98,032	51,068
Iron, Railway, of all kinds:—			Silk Manufactures:—		
To Russia . . . "	17,038	139,361	Stuffs, Handkerchiefs, and Ribbons (of Silk only):—		
Sweden . . . "	5,532	43,061	To United States . . . lbs.	51,940	66,836
Prussia . . . "	847	14,401	Australia . . . "	43,093	63,967
Hanover . . . "	1,856	16,938	Other Countries . . . "	189,749	202,281
Holland . . . "	1,294	11,573	Other Articles (of Silk only) Entered at Value:—		
France . . . "	3,988	24,000	To Hanse Towns . . . value £	..	18,846
Spain . . . "	27,189	204,230	United States . . . "	..	19,018
Austrian Territories . . . "	651	6,489	Other Countries . . . "	..	81,445
United States . . . "	24,239	153,599	Silk Manufactures mixed with other Materials	..	196,162
Cuba . . . "	1,878	12,523	Silk, Thrown:—		
British North America . . . "	4,648	32,794	To Belgium . . . lbs.	73,280	88,671
" East Indies . . . "	65,523	544,393	France . . . "	80,737	106,962
Australia . . . "	16,230	112,877	Holland . . . "	85,265	96,631
Other Countries . . . "	26,797	276,998	Other Countries . . . "	70,707	80,480
Iron Wire . . . "	6,675	117,956	Silk, Twist and Yarn:—		
Iron, Cast:—			To France . . . "	122,114	62,899
To Egypt . . . "	146	3,632	Other Countries . . . "	91,000	70,858
United States . . . "	689	6,297	Soap . . . "	94,038	115,365
Cuba . . . "	901	8,606			
Brasil . . . "	1,976	28,258			
British East Indies . . . "	6,455	67,948			
Australia . . . "	2,779	29,836			
Other Countries . . . "	18,747	160,471			
Iron, Wrought, of all kinds:—					
To Russia . . . "	5,157	62,806			
Prussia . . . "	4,825	39,134			
Hanse Towns . . . "	3,175	43,407			
Holland . . . "	5,384	66,430			
Spain . . . "	3,722	54,247			

ARTICLES.	Quantities.	Declared Value.	ARTICLES.	Quantities.	Declared Value.
Soda:—		£	Woollens—cont.		£
To United States . . cwts.	308,373	103,560	Naples and Sicily . . yards	1,016,028	54,123
Other Countries . . "	401,413	164,854	United States . . "	13,312,778	501,940
Spirits (British):—			Brazil . . "	872,264	54,293
To United States . . galls.	70,378	11,048	British N. America . . "	896,944	57,906
Australia . . "	173,104	29,916	" East Indies . . "	650,770	24,636
Other Countries . . "	1,073,426	126,628	Australia . . "	1,320,417	115,486
Stationery:—			Other Countries . . "	12,062,547	682,968
To British East Indies value £	..	51,798	Woollens, Entered at		
Australia . . "	..	105,378	Value . . value £	..	143,267
Other Countries . . "	..	141,539	Woollen Stockings . . doz. prs.	26,775	22,925
Sugar, Refined . . cwts.	34,586	96,588	Woollens: Worsteds:—		
Telegraphic Wire and Apparatus . . value £	..	90,585	To Hanse Towns . . pieces	180,768	220,547
Wool, Sheep and Lambs:—			Holland . . "	109,214	164,638
To Belgium . . lbs.	397,933	30,658	Belgium . . "	29,152	64,368
France . . "	5,817,328	432,433	United States . . "	236,846	209,935
Other Countries . . "	1,123,665	93,961	China & Hong Kong . . "	97,921	212,125
Woollens: Cloths of all Kinds, Duffels, and Kerseymeres:—			British N. America . . "	40,489	52,391
To United States . . pieces	47,902	221,283	" East Indies . . "	18,219	26,544
Brazil . . "	17,389	66,372	Australia . . "	47,596	72,455
Buenos Ayres . . "	17,073	105,678	Other Countries . . "	275,042	412,668
Chili . . "	7,825	41,311	Woollen and Worsteds		
Peru . . "	13,509	75,809	Yarn:—		
China and Hong Kong . . "	63,999	277,902	To Russia . . cwts.	7,324	124,351
British N. America . . "	11,810	48,872	Hanover . . "	3,455	44,965
" East Indies . . "	25,122	127,072	Hanse Towns . . "	54,404	887,239
Australia . . "	16,731	101,195	Holland . . "	22,167	277,551
Other Countries . . "	62,061	276,754	Belgium . . "	7,371	90,910
Woollens: Mixed Stuffs, Flannels, Blankets, and Carpets:—			France . . "	4,230	106,627
To Hanse Towns . . yards	1,780,260	107,493	Other Countries . . "	7,374	98,180
France . . "	1,642,123	102,386			
			Total declared Value:—		
			Enumerated Articles . . "	..	55,686,415
			Unenumerated Articles . . "	..	4,457,010
			All Articles . . "	..	60,143,425

AN ACCOUNT of the COMPUTED REAL VALUE of the IMPORTS and EXPORTS of GOLD and SILVER BULLION and SPECIE registered in the SIX MONTHS ended 30th June, 1861.

IMPORTS.

COUNTRIES FROM WHICH IMPORTED.	GOLD.	SILVER.	TOTAL.
	£	£	£
Russia, Northern Ports	59,149	...	59,149
Hanse Towns	226,921	55,646	282,567
Holland	4,662	129,733	134,395
Belgium	169,124	192,274	361,398
France	1,697,172	346,348	2,043,520
Portugal	557	68,544	69,101
Spain	1,122	16,232	17,354
Gibraltar	4,338	9,381	13,719
Malta	1,589	2,926	4,515
Turkey	8,058	...	8,058
Egypt	2,712	439	3,151
West Coast of Africa	39,415	1,121	40,536
China ... ..	...	...	...
Australia	3,092,082	196	3,092,278
British Columbia	4,785	...	4,785
Mexico, South America and West Indies	616,604	2,780,070	3,396,674
United States	27,115	25,971	53,086
Other Countries	18,393	24,991	43,384
Total	5,973,798	3,653,872	9,627,670

EXPORTS.

COUNTRIES TO WHICH EXPORTED.	GOLD.	SILVER.	TOTAL.
	£	£	£
Hanse Towns	8,247	204,187	212,384
Holland ... ..	...	191,529	191,529
Belgium	1,140	58,315	59,455
France	915,610	556,295	1,471,906
Portugal and Madeira	198,985	246	199,231
Spain	282,774	2,690	285,464
Egypt (in transit to India and China)	450,440	4,594,016	5,044,456
British Possessions in South Africa	74,954	...	74,954
Mauritius ... ..	...	2,083	2,083
Danish West Indies	11,373	28,521	39,894
United States	5,930,369	18,254	5,948,623
Brazil	11,413	83,213	94,626
Chili ... ..	...	...	...
Other Countries	394,273	62,240	456,513
Total	8,279,578	5,801,490	14,081,068

TEA.

AN ACCOUNT "showing the Quantity of TEA annually Consumed in the UNITED KINGDOM, with the Average Rate and Aggregate Amount of DUTY collected thereon; also the Average PRICE, inclusive and exclusive of the Duty, and the Average Quantity Consumed by each Individual of the Population, from 1801 to 1860, inclusive."

YEARS.	Quantity of Tea consumed in the United Kingdom.	Amount of Duty received thereon.	Average Rate of Duty per lb. paid by the Consumer.	Average Price per lb. in Bond.	Population of the United Kingdom.	Average Quantity consumed by each Individual of the Population.
	Lbs.	£	s. d.	s. d.		Lbs. ozs.
1801	23,730,150	1,423,660	1 2½	3 0	15,828,000	1 8
1802	25,400,294	1,632,467	1 3½	3 1½	15,966,000	1 9
1803	24,877,450	1,929,614	1 6½	2 10½	16,171,000	1 9
1804	22,057,046	2,599,739	2 4½	3 0	16,407,000	1 6
1805	24,266,083	3,336,524	2 9	3 1	16,677,000	1 7
1806	22,249,485	3,446,671	3 1½	3 3	16,917,000	1 5
1807	23,819,420	3,520,174	2 11½	3 4	17,154,000	1 6
1808	25,226,642	3,905,295	3 1½	3 3½	17,385,000	1 7
1809	21,065,843	3,592,705	3 5	3 5	17,602,000	1 3
1810	24,486,408	3,647,738	2 11½	3 4	17,841,000	1 6
1811	22,454,532	3,752,111	3 4	3 4	18,011,000	1 4
1812	24,584,402	3,825,980	3 1½	3 3½	18,270,000	1 5
1813	25,409,855	3,776,030	2 11½	3 4½	18,522,000	1 6
1814	24,389,501	3,958,055	3 3	3 5½	18,832,000	1 5
1815	25,917,853	4,058,092	3 1½	3 2	19,118,000	1 6
1816	22,693,992	3,362,497	2 11½	2 11½	19,463,000	1 3
1817	24,605,794	3,431,364	2 9½	3 0½	19,772,000	1 4
1818	26,537,531	3,872,694	2 11	3 1	20,076,000	1 5
1819	25,241,693	3,689,805	2 11	2 9½	20,398,000	1 4
1820	25,712,935	3,526,912	2 9	2 9½	20,705,000	1 4
1821	26,754,587	3,738,428	2 9½	2 10½	20,985,000	1 4
1822	27,574,025	3,945,590	2 10½	2 10	21,320,000	1 5
1823	27,093,015	3,848,122	2 10	2 10	21,672,000	1 4
1824	27,648,295	3,865,477	2 9½	2 10	21,991,000	1 4
1825	29,232,174	4,031,019	2 9	2 9½	22,304,000	1 5
1826	29,045,852	3,738,043	2 7	2 6½	22,605,000	1 5
1827	29,931,178	3,705,590	2 5½	2 5	22,893,000	1 5
1828	29,305,757	3,448,843	2 4½	2 4½	23,200,000	1 4
1829	29,495,205	3,321,723	2 3	2 2½	23,535,000	1 4
1830	30,046,935	3,387,097	2 3	2 3½	23,834,000	1 4

SERIES A.

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TEA.—1801-1860.—continued.

YEARS.	Quantity of Tea consumed in the United Kingdom.	Amount of Duty received thereon.	Average Rate of Duty per lb. paid by the Consumer.	Average Price per lb. in Bond.	Population of the United Kingdom.	Average Quantity consumed by each Individual of the Population.
	Lbs.	£	s. d.	s. d.		Lbs. ozs.
1831	29,997,055	3,344,919	2 2½	2 3	24,083,000	1 4
1832	31,548,381	3,509,839	2 2½	2 2½	24,343,000	1 5
1833	31,829,620	3,444,102	2 2	2 2	24,561,000	1 5
1834	34,969,651	3,589,361	2 0½	2 1½	24,820,000	1 7
1835	36,574,004	3,832,427	2 1½	1 11	25,104,000	1 7
1836	49,142,236	4,674,535	1 10½	1 7	25,390,000	1 15
1837	30,625,206	3,223,840	2 1	1 5½	25,676,000	1 3
1838	32,351,593	3,362,035	2 1	1 7½	25,895,000	1 4
1839	35,127,287	3,658,803	2 1	1 8½	26,201,000	1 5
1840	32,252,628	3,472,864	2 1½	2 7½	26,519,000	1 3
1841	36,675,667	3,973,668	2 2½	2 1½	26,730,000	1 6
1842	37,355,911	4,088,957	2 2½	2 0½	27,006,000	1 6
1843	40,293,393	4,407,642	2 2½	1 4½	27,283,000	1 8
1844	41,363,770	4,524,193	2 2½	1 2½	27,577,000	1 8
1845	44,193,433	4,833,353	2 2½	1 1½	27,875,000	1 9
1846	46,740,344	5,112,005	2 2½	1 1	28,189,000	1 11
1847	46,314,821	5,066,494	2 2½	1 1	28,093,000	1 10
1848	48,734,789	5,329,992	2 2½	1 0½	27,855,000	1 12
1849	50,021,576	5,471,422	2 2½	1 1	27,632,000	1 13
1850	51,172,302	5,596,961	2 2½	1 3½	27,423,000	1 14
1851	53,949,059	5,900,625	2 2½	1 2½	27,529,000	1 15
1852	54,713,034	5,984,172	2 2½	1 0½	27,570,000	2 0
1853	58,834,087	5,683,791	1 11½	1 3½	27,663,000	2 2
1854	61,953,041	4,780,149	1 6½	1 3½	27,788,000	2 4
1855	63,429,286	5,310,275	1 8	1 3	27,899,000	2 4
1856	63,278,212	5,536,626	1 9	1 2½	28,154,000	2 4
1857	69,132,101	5,057,960	1 5 6-10	1 5 4-10	28,427,000	2 7
1858	73,195,685	5,184,607	1 5	1 4½	28,654,000	2 9
1859	76,303,661	5,404,376	1 5	1 6½	28,890,000	2 10
1860	76,816,394	5,441,151	1 5	1 6½	29,150,000	2 10

FOREIGN WINE.

An Account of the Quantity of Foreign Wine cleared for Consumption, between the 1st of January and the 31st of March, 1861; and Returns of the Ports and Places at which Wines are submitted to Official Tests, with the number of such Tests for the same period. (Mr. Crawford.) 24th of April, 1861. (193.)

THE quantity of foreign wine cleared for consumption, between the 1st day of January, and the 31st day of March, 1861, both inclusive, was as follows: 354,473 galls. at 1s. per gallon, 106,012 galls. at 1s. 9d., 2,522,779 galls. at 2s. 5d., 7,374 galls. at 2s. 11s. and 249,423 galls. at 2s. 5d. in bottle—total, 3,306,417; of which 668,955 galls. were imported from France, 1,317,910 galls. from Spain, 885,738 galls. from Portugal, 58,031 galls. from Germany, 77,713 galls. from Holland, and 298,070 galls. from other countries. There were in all 42,158 tests made and registered, of which 25,323 were at London, 1,277 at Bristol, 230 at Folkestone, 521 at Gloucester, 936 at Hull, 4,133 at Liverpool, 672 at Newcastle, 691 at Plymouth, 556 at Southampton, 1,626 at Glasgow, 1,899 at Leith, and 4,244 at Dublin.

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TRADE AND NAVIGATION.

Annual Statement of the Trade and Navigation of the United Kingdom with Foreign Countries and British Possessions in the Year 1859.

In the year 1859, the real value of the total imports of merchandise was 179,182,355*l.*; and of the exports, 155,692,975*l.*: total, 334,875,330*l.* The computed real value of the total imports of merchandise from foreign countries was 139,707,569*l.*; from British possessions, 39,474,786*l.*: total, 179,182,355*l.* The real value of the total exports of the produce of the United Kingdom was, declared value, 130,411,529*l.*; foreign and colonial produce, computed value, 25,281,446*l.*: total, 155,692,975*l.*

The computed real value of imports and exports from and to each foreign country and British possessions was as follows:—

TOTAL TRADE of the UNITED KINGDOM.
EXPORTS.

—	Imports.	British Produce.	Foreign and Colonial Produce.	Total.	Gross Total of Trading Imports and Exports.
	£	£	£	£	£
FOREIGN COUNTRIES.					
Russia	13,548,155	4,053,060	2,306,047	6,359,107	19,907,262
France and French Possessions	16,900,725	4,791,966	4,807,756	9,599,722	26,500,447
United States	34,292,369	22,553,405	1,864,487	24,417,892	58,710,261
China	9,014,310	4,457,473	128,663	4,586,136	13,600,446
Spain and Spanish Possessions	7,727,807	4,447,257	273,251	4,720,508	12,448,315
Egypt	8,572,312	2,175,651	166,042	2,341,693	10,914,005
Peru	1,645,002	857,568	38,462	896,030	2,541,032
Prussia	4,755,686	1,492,088	744,732	2,236,820	6,992,506
Hanse Towns	5,241,687	9,178,399	3,063,660	12,242,059	17,483,746
Holland and Dutch Colonies	7,053,782	6,550,883	2,802,572	9,353,455	16,407,237
Belgium	3,532,891	1,479,270	2,224,276	3,703,546	7,236,437
Brazil	2,828,770	3,685,718	155,186	3,840,904	6,669,674
Turkish Dominions	2,728,354	3,750,996	291,513	4,042,509	6,770,863
Denmark and Danish Possessions	2,647,858	1,376,185	234,781	1,610,966	4,258,824
Chili	1,969,547	1,474,606	35,570	1,510,176	3,479,723
Sweden	2,553,869	546,492	235,871	782,363	3,336,232
West Coast of Africa	1,517,177	696,027	210,064	906,091	2,423,268
Portugal	1,803,820	1,413,925	380,479	1,794,404	3,598,224
Buenos Ayres	1,664,092	958,677	29,066	987,743	2,651,835
Other Countries	9,709,356	8,327,887	1,787,303	10,110,190	19,819,546
Total	139,707,569	84,267,533	21,774,781	106,042,314	245,749,883
BRITISH POSSESSIONS.					
British East Indies	15,244,869	19,844,920	937,933	20,782,853	36,027,722
Australia	5,834,655	11,229,448	1,265,837	12,495,285	18,329,940
British North America	5,474,025	3,616,236	349,706	3,965,942	9,439,967
British West Indies	3,950,195	1,608,138	200,986	1,809,124	5,759,319
African Colonies	1,849,304	2,213,941	151,297	2,365,238	4,214,542
Ceylon	1,654,391	667,387	30,438	697,825	2,352,216
British Guiana	1,447,784	555,311	60,640	616,151	2,063,935
Other Countries	4,019,553	6,408,415	509,828	6,918,243	10,937,806
Total	39,474,786	46,143,996	3,506,665	49,650,661	89,125,447
Total Foreign Countries	139,707,569	84,267,533	21,774,718	116,042,314	245,749,883
Grand Total	179,182,355	130,411,529	25,281,383	155,692,975	334,875,330

The TOTAL COMPUTED REAL VALUE of the PRINCIPAL ARTICLES imported is as follows:—

ARTICLES.					Prices.	Computed Real Value.
					£ s. d.	£
Cotton, Raw	...	...	...	per cwt.	3 5 10	34,559,636
Corn (Wheat)	...	...	...	per qr.	2 8 8	18,042,063
Silk, Raw	...	...	...	per lb.	0 19 2	13,667,194
Sugar, Brown clayed	...	...	...	per cwt.	1 7 9	12,552,213
Wool	...	...	...	per lb.	0 1 8	9,826,882
Wood and Timber (Deals)	...	...	...	per load	3 1 10	21,518,514
Tea	...	...	...	per lb.	0 1 6½	5,812,545
Tallow	...	...	...	per cwt.	2 14 9	2,933,066
Tobacco, Stemmed	...	...	...	per lb.	0 0 8	1,817,171
Guano	...	...	...	per ton	12 0 0	769,333
Hides	...	...	...	per cwt.	3 14 5	3,385,279
Indigo	...	...	...	"	31 8 9	1,928,726
Oil, Olive	...	...	...	per tun	50 8 9	4,901,661
Seeds (Linseed)	...	...	...	per qr.	2 2 1	5,034,851
Flax	...	...	...	per cwt.	2 12 4	3,769,058
Copper	...	...	...	per ton	14 7 2	3,033,848
Other articles	...	...	...	...	...	35,630,315
Total ...					...	£179,182,355

The TOTAL DECLARED VALUE of the PRINCIPAL ARTICLES, the PRODUCE of the UNITED KINGDOM, exported was as follows:—

Cotton Manufactures	...	£38,744,113	Apparel	...	£1,801,434
„ Twist and Yarn	...	9,458,112	Haberdashery	...	4,290,032
Iron	...	11,508,605	Hardware and Cutlery	...	3,809,255
Linen	...	4,604,587	Leather	...	2,009,024
Woolen and Worsted Yarns	...	3,084,061	Machinery	...	3,731,301
Linen Yarns	...	1,674,602	Silk Manufactures	...	1,562,152
Earthenware and Porcelain	...	1,313,831	„ Thrown, Twist, and Yarn	...	791,560
Coals	...	3,270,013	Other Articles	...	34,190,199
Beer and Ale	...	2,116,373			
Copper, wrought and unwrought	...	2,452,275	Total ...	...	£130,411,529

The gross amount of customs duty received at the principal ports in the United Kingdom was as follows:—England: London, 12,740,242*l.*; Liverpool, 3,661,662*l.*; Bristol, 1,283,549*l.*; Hull, 297,397*l.*; Newcastle, 279,890*l.*; Plymouth, 234,840*l.*; Manchester, 189,817*l.*; Folkestone, 177,960*l.*; Southampton, 127,073*l.*; Exeter, 102,154*l.*; total, England—20,268,458*l.* Scotland: Glasgow, 813,090*l.*; Greenock, 808,454*l.*; Leith, 512,872*l.*; Aberdeen, 92,251*l.*; Port Glasgow, 70,362*l.*; Dundee, 66,257*l.*; total, Scotland—2,508,847*l.* Ireland: Dublin, 1,053,511*l.*; Belfast, 375,976*l.*; Cork, 265,327*l.*; Galway, 173,466*l.*; Limerick, 128,184*l.*; Waterford, 85,698*l.*; total, Ireland—2,287,761*l.* Total, United Kingdom—25,065,066*l.* The total amount of duty received at the Isle of Man was 29,308*l.*

The declared real value of the total exports of the produce of the United Kingdom at each port was as follows:—England and Wales: Liverpool, 62,401,168*l.*; London, 30,220,109*l.*; Hull, 12,980,587*l.*; Hartlepool, 4,018,521*l.*; Southampton, 2,499,369*l.*; Newcastle, 1,906,514*l.*; Cardiff, 1,755,057*l.*; Grimsby, 918,364*l.*; Newport, 816,978*l.*; Folkestone, 774,826*l.*; Swansea, 728,031*l.*; total, England—121,476,101*l.* Scotland: Glasgow,

5,394,376*l*; Greenock, 1,106,268*l*; Leith, 872,673*l*; Grangemouth, 250,457*l*: total, Scotland—8,470,207*l*. Ireland: Cork, 163,791*l*; Belfast, 145,636*l*; Galway, 85,141*l*: total, Ireland—465,221*l*. Total of the United Kingdom, 130,411,529*l*.

The total value of foreign merchandise transhipped at ports in the United Kingdom, not included in the accounts of imports and exports amounted in 1859 to 6,644,747*l*. The goods for transshipment were imported as follows:—4,390,626*l* were from France, 739,822*l* from Belgium, 541,899*l* from Holland, 269,115*l* from Hanse Towns, 143,280*l* from Turkish dominions. The same were exported as follows:—United States, 3,646,881*l*, Haiti and Foreign West Indies, 488,579*l*; Australia, 445,117*l*; Brazil, 372,129*l*; British East Indies, 276,697*l*; Turkish dominions, 231,283*l*. The articles consisted principally of silk, woollen, and leather manufacture.

The number and tonnage of registered vessels which belonged to each division of the United Kingdom and of the British possessions in 1859, was as follows:—England, 19,578 sailing vessels, 3,372,320 tons; 1,454 steam vessels, 321,947 tons: total, 21,032 vessels, 3,694,267 tons, 168,843 crews. Scotland, 3,216 sailing vessels, 571,432 tons; 297 steam vessels, 75,010 tons: total, 3,513 vessels, 64,642 tons, 32,737 crews. Ireland, 2,103 sailing vessels, 212,518 tons; 156 steam vessels, 38,023 tons: total, 2,259 vessels, 250,541 tons, 13,971 crews. Total, United Kingdom, 24,897 sailing vessels, 4,156,270 tons; 1,907 steam vessels, 434,980 tons: total, 26,804 vessels, 4,591,250 tons, 215,551 crews. Isles of Guernsey, Jersey, and Man, 887 sailing vessels, 70,085 tons; 11 steam vessels, 1,856 tons: total, 898 vessels, 71,941 tons, 5,597 crews. British possessions, 10,177 sailing vessels, 961,283 tons; 321 steam vessels, 35,928 tons: total, 10,498 vessels, 997,211 tons, 70,283 crews. Total, of British Empire, 35,961 sailing vessels, 5,187,638 tons; 223 steam vessels, 472,764 tons: total, 38,200 vessels, 5,660,402 tons, 291,431 crews.

In 1859 there were entered, British, 26,520 vessels, 6,585,112 tons; foreign, 22,351 vessels, 4,636,810 tons: total, 48,871 vessels, 11,221,922 tons. Cleared British, 25,920 vessels, 6,726,731 tons; foreign, 23,935 vessels, 4,955,606 tons: total, 49,855 vessels, 11,682,337 tons. Total, British, 52,440 vessels, 13,311,843 tons. Foreign, 46,286 vessels, 9,592,416 tons: total, 98,726 vessels, 22,904,259 tons. The vessels were entered and cleared with cargoes and in ballast, as follows:—Entered: British, with cargoes, 19,915 vessels, 5,391,925 tons; in ballast, 6,605 vessels, 1,193,187 tons: total, 26,520 vessels, 6,585,112 tons. Foreign, with cargoes, 16,380 vessels, 3,698,718 tons; in ballast, 5,971 vessels, 938,092 tons: total, 22,351 vessels, 4,636,810 tons. Total, with cargoes, 36,295 vessels, 9,090,643 tons; in ballast, 12,576 vessels, 2,131,279 tons: total, 48,871 vessels, 11,221,922 tons. Cleared, British, 23,704 vessels, 6,222,746 tons; in ballast, 2,216 vessels, 503,985 tons: total, 25,920 vessels, 6,726,731 tons. Foreign, with cargoes, 19,408 vessels, 4,021,217 tons; in ballast, 4,527 vessels, 934,389 tons: total, 23,935 vessels, 4,955,606 tons. Total, with cargoes, 43,112 vessels, 10,243,963 tons; in ballast, 6,743 vessels, 1,438,374 tons: total, 49,855 vessels, 11,682,337 tons.

Of the vessels entered, 42,833 vessels, 8,852,576 tons were from foreign countries: of which 12,226 vessels, 1,646,103 tons, from France; 1,266 vessels, 1,188,380 tons, from the United States; 3,838 vessels, 904,134 tons, from Russia; 3,944 vessels, 736,968 tons, from Holland, and 6,038 vessels, 2,369,346 tons, from British possessions, of which 1,941 vessels,

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1,003,375 tons, from North American Provinces; 707 vessels, 573,784 tons, from East India and Singapore; 752 vessels, 226,336 tons, from West Indies and Honduras. Of the vessels cleared, 43,581 vessels, 9,179,921 tons, were to foreign countries: of which 1,617 vessels, 1,463,860 tons, to the United States; 10,966 vessels, 1,453,766 tons, to France; 5,232 vessels, 666,696 tons; 2,891 vessels, 653,082 tons; and 6,274 vessels, 2,502,416 tons, to British Possessions.

The total number entered to the principal ports of the United Kingdom, was as follows:—Entered: England and Wales—London, 10,769 vessels, 2,837,696 tons; Liverpool, 4,904 vessels, 2,414,689 tons; Hull, 2,944 vessels, 666,236 tons; Bristol, 794 vessels, 203,250 tons; Newcastle, 4,375 vessels, 731,368 tons; Southampton, 1,017 vessels, 323,361 tons. Scotland—Leith, 1,539 vessels, 216,356 tons; Glasgow, 697 vessels, 144,066 tons; Gleenock, 312 vessels, 120,257 tons; Ireland—Dublin, 596 vessels, 109,694 tons; Cork, 367 vessels, 93,124; Belfast, 371 vessels, 674,587 tons.

BILLS.

Friendly and Assurance Societies.—To require all Friendly and Assurance Societies to render to every member thereof, or person depositing money therein, a copy of their annual accounts. (Mr. Sotheron Estcourt, Mr. Adderley, and Mr. Bonham Carter.) 8th May, 1861. (130.) Copy of balance-sheet to be delivered annually to every depositor or member. Such balance-sheet to contain a true account of the condition of such society, as to the amount of receipts during the year gross and net; amount of expenditure, distinguishing the sums paid to officers or for management, gross and net; date of establishment; total sums received and expended since establishment; the assets, distinguishing each head of invested capital; liabilities, distinguishing each head of assurance or benefit; and number of members or persons having a claim on account of money paid to the society. In default of such delivery the officer making default to be liable to a fine not exceeding five pounds.

Customs and Inland Revenue.—To continue certain duties of Customs and Inland Revenue for the service of her Majesty, and to alter and repeal certain other Duties. (Mr. Massey, the Chancellor of the Exchequer, and Mr. Peel.) (133.) Grant of duties as follows: The duties on tea and sugar, viz.—Tea, 1s. 5d. per lb.; sugar candy, 18s. 4d.; white clayed, 16s.; yellow Muscovado, 13s. 10d.; brown Muscovado, 12s. 8d.; cane juice, 10s. 4d.; and molasses, 5s. per cwt.; almond paste, of cherries dried, comfits, confectionery, plums preserved in sugar, marmalade, succades, and ginger preserved, 2s. per lb., to continue till July 1st, 1862. The allowances and drawback in the same manner. The duty on chicory to be 11s. per cwt. The income-tax to be 9d. in the pound on all property, profits, and gains, except those charged under Schedule B., 4½d. in the pound in England, and 3d. in the pound in Scotland and Ireland, in respect of the occupation of lands and tenements chargeable under Schedule B., and 6d. in the pound in all cases where the incomes are under 150l. a year. The duties of excise on paper of any denomination, and buttonboard, mill-board, pasteboard, and scaleboard, and also all allowances and drawbacks

in respect of any such duties, shall cease. Stationers to be entitled to allowance of excise duty in respect of unbroken reams of paper in their stock.

Excise and Stamps.—For granting to her Majesty certain duties of Excise and Stamps. (Mr. Massey, the Chancellor of the Exchequer, and Mr. Peel.) 13th May, 1861. (139.) Grant of stamp duties, retail licences, and dealers in spirits, 3*l.* 3*s.*; licence to sell table beer, 5*s.*; stamp duties on foreign bills of exchange exceeding 500*l.*, 1*d.* for every 100*l.* or part of 100*l.*; leases of houses, 2*s.* 6*d.*, provided the whole rent exceeds 25*l.*; license for hawker, pedlar, or petty chapman, 1*l.*, not exceeding six months, and 2*l.* not exceeding a year; license for house agents, 2*l.*

Princess Alice's Annuity.—To enable her Majesty to settle an annuity on her Royal Highness, the Princess Alice Maud Mary. 13th May, 1861. (98.)

Transfer of Stocks and Annuities.—To increase the facilities for the Transfer of Stocks and Annuities transferable at the Bank of Ireland, and to make further provisions respecting the mutual transfer of capital in certain public stocks or funds, transferable at the Bank of England or Ireland respectively, and for other purposes. (The Chancellor of the Exchequer and Mr. Peel.) 16th May, 1861. (146.)

Dealers in Old Metals.—For regulating the business of Dealers in Old Metals. (Mr. Scholefield and Mr. Spooner.) 6th June, 1861. (165.) Any dealer in old metal in possession of stolen property, guilty of misdemeanour, justices may order dealer to be registered. Dealer to give notice of change of place of business. Inspectors and sergeants of police to visit places of business of registered dealers in old metals.

Consolidated Fund.—To apply 10,000,000*l.* out of the Consolidated Fund to the service of the year 1861. 3rd June, 1861. (114 L.)

Revenue Departments Accounts.—To provide for the preparation, audit, and presentation to Parliament of annual accounts of the appropriation of the moneys voted for the Revenue Departments. 3rd June, 1861. (265 L.)

Stamp Duties and Probates.—To amend the law for the collection of the Stamp Duties on probates, administrations, inventories, legacies and successions. 29th July, 1862. (259 L.)

Lace Factories.—To place the employment of women, young persons, youths and children in lace factories under the regulations of the Factories Acts. 29th July, 1861. (257 L.)

Inland Revenue.—To amend the laws relating to the Inland Revenue. 29th July, 1861. (258 L.) The Bill contains provisions.

Copyright of Designs.—To amend the law relating to the Copyright of Designs relating to excise, stamps, land-tax, land-assessed, and income-taxes. It provides that methylated spirits may be retailed under licence for the purpose, but that it shall not be prepared or sold as a beverage. It altered the drawback on beer exported, and lowered the duty on refreshment-house licenses. It alters the stamp duties on protests, makes other changes on duties on duplicates of deeds, and provides for the appropriation of surplus land-tax.

Copyright of Designs.—To amend the law relating to Copyright of Designs. 11th July, 1861. (184 L.) The 5 and 6 Vict. c. 100, and other Acts relating to copyright of designs, to apply to any design, even where the inventor is not a subject of her Majesty.

Salmon Fisheries.—To amend the laws relating to Fisheries of Salmon in England. 25th July, 1861. (246 L.)

White Herring Fishery, Scotland.—To make further provisions for the regulations of the British White Herring Fishery in Scotland. 15th July, 1861. (191 L.)

Treasury Chest Fund.—For limiting and regulating the Treasury Chest Fund. 1st August, 1861. (278 L.)

Consolidated Fund Appropriation.—To apply a sum out of the Consolidated Fund, and the surplus of ways and means to the service of the year 1861, and to appropriate the supplies granted in this session of Parliament. 1st August, 1861. (285 L.)

Return of the Total Amount of Dues raised under the various Acts passed in 1860, for Levying and Collecting certain Dues on Goods, Animals, Shipping Bills, &c., from the date of coming into operation to 31st December, 1860, inclusive. (Mr. Moffat.) 8th March, 1861. (93.)

The total amount of dues raised under the various Acts from one penny on goods in packages or parcels, in bulk by weight, in bulk by measure, in bulk by number, on animals was 82,868*l.* 3*s.* 1*d.*; and on shipping bills, and bills of lading, was 30,254*l.* 3*s.*: total, 113,122*l.* 8*s.* 1*d.* The total amount of duty received for dock warrant stamps sold at 3*d.* each, from the 3rd of April to the 31st of December, 1860, was 8,595*l.* 8*s.* 9*d.*

Return of all Exports and Imports of Copper and Copper Ore and Regulus, Tin and Tin Ore, Lead and Lead Ore, and Spelter for Twelve Months, ending 5th January, 1860. (Mr. Davey.) 11th May, 1860. (295.)

Of copper there were imported in the year ending 31st December, 1859, 71,277 tons of ore, 13,178 tons of regulus, 8,048 tons of unwrought in bricks or pigs, 926 tons of old, 2,855 tons of part-wrought, 28 tons of plates and coins, and 1,456 tons of copper manufactured. The principal part of the copper ore came from Chili, Cuba, Spain, Victoria (Australia), Peru, British possessions in South Africa, and Italy. During the same year there were exported 66 tons of British, and 921 tons of foreign copper ore, 128 tons of foreign regulus, 6,349 tons of British, and 1,400 tons of foreign unwrought in bricks, viz.: 56 tons of British, and 49 tons of foreign coin plates, 14,345 tons of British sheet nails, &c., 36 tons of British wire, 1,933 tons of British wrought copper, 11 tons of foreign old copper, 996 tons of foreign part-wrought.

Of tin there were imported 2,790 tons, principally from British India, Singapore, and Holland, and 563 tons of tin ore and regulus. And there were exported 2,803 tons of British and 395 tons of foreign tin.

Of zinc there were imported 30,214 tons of zinc, or spelter, 5,083 tons of lapis calaminaris, and 1,006 tons of oxide of zinc; and exported 4,874 tons of British and 8,672 tons of foreign zinc, or spelter and 69 tons of foreign oxide of zinc.

Of lead there were imported 23,620 tons, pig and sheet, 2,100 tons of lead ore, 1 ton of lead, red, and 162 tons of lead, white; and exported, 197 tons of British lead, 109 of foreign ore, 18,414 tons of British and 40 tons of foreign pig and rolled lead. 2,157 tons of shot, 481 tons of litharge, 2,641 tons of red lead, and 3,623 of white lead, British, and 52 tons foreign.

JUDICIAL STATISTICS.

Returns of Judicial Statistics for England and Wales for the year 1859.

PART I.

POLICE—CRIMINAL PROCEEDINGS—PRISONS.

Police and Constabulary.—The total amount of the police and constabulary was on the 29th September, 1859 :—Commissioners and assistant commissioners, 4 ; chief constables of counties, 56 ; head constables of boroughs, 113 ; superintendents, 483 ; inspectors, 691 ; serjeants, 1,961 ; constables, 16,735 ; additional constables (appointed for special purposes), 402 ; detective officers, 152 ; total police and constabulary, 20,597.

Comparing the year 1858 with the year 1857 there was an increase in the police forces of 1,069 men, or 5·6 per cent. But the establishments were then brought into a state approaching completeness, for in the past year 341 men only, or 1·6 per cent., were added.

Population, which is calculated on residence, forms the best but a very imperfect basis of comparing the relative amount of the police forces. For England and Wales the proportion averages 1 in 870. It is largest in the City of London, 1 in 210 ; in the town and port of Liverpool, 1 in 308 ; next in the metropolitan police district, 1 in 384. In Manchester it decreases to 1 in 502 ; in Birmingham to 1 in 636 ; and in Sheffield to 1 in 708. But the proportion immediately diminishes in the county populations and is more fixed, though usually largest in the neighbourhood of the great towns. Thus it is in Warwickshire 1 in 1,221 ; in Essex, 1 in 1,259 ; in Devon 1 in 1,307 ; in Worcestershire 1 in 1,314 ; in Lancashire 1 in 1,332 ; in Kent 1 in 1,355 ; in Staffordshire 1 in 1,392 ; and diminishes in Norfolk to 1 in 1,458 ; in the West Riding of Yorkshire to 1 in 1,531 ; and in Suffolk to 1 in 1,602.

The expenses of the police in the year 1859 prove a small increase corresponding only with the addition to the number of constables. The heads of the charge were :—

Salaries and pay, 1,105,708*l.* 9*s.* 5*d.* ; allowances and contingent expenses, 37,310*l.* 13*s.* 5*d.* ; clothing and accoutrements, 104,491*l.* 15*s.* 8*d.* ; superannuations and gratuities, 60,865*l.* 7*s.* 10*d.* ; horses, harness, forage, &c., 29,657*l.* 2*s.* 5*d.* ; station-house charges, printing, stationery, &c., 118,890*l.* 9*s.* ; other miscellaneous charges, 28,105*l.* 4*s.* 1*d.* : total costs, 1,485,029*l.* 1*s.* 10*d.* These charges, including the whole costs of the establishments, average 72*l.* 2*s.* per man on the total of the police—or calculating only the salaries and pay 53*l.* 13*s.* per man. Clothing and accoutrements 5*l.* 1*s.* per man. The large station-house charges are probably still greatly increased by expenses in the nature of outfit. Of the superannuation charge six-sevenths refer to the metropolitan police alone.

The police, both of boroughs and counties, is a local force governed by the local authorities and paid from local funds. But on report of efficiency by one of her Majesty's inspectors of constabulary, one-fourth the charge for pay and clothing is contributed from the public revenue to all boroughs having a population of above 5,000, and to all counties including the boroughs whose police has been amalgamated with the county police. A similar contribution of one-fourth the amount of the police rate is made to—

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wards the maintenance of the metropolitan police force. The city of London police is an exception to these contributions. The charge of each class of the police in the year 1859 was,—

Borough police, total charge 367,140*l.* 2*s.* 3*d.*, contributed from public revenue 71,284*l.* 7*s.* 11*d.*; county constabulary, total charge 584,814*l.* 18*s.*, contributed from public revenue 114,864*l.* 12*s.* 1*d.*; metropolitan police, total charge 485,666*l.* 1*s.* 9*d.*, contributed from public revenue 124,056*l.* 10*s.* 7*d.*; city of London police, total charge 47,407*l.* 19*s.* 10*d.*: total charge 1,485,029*l.* 1*s.* 10*d.*, contributed from public revenue 310,205*l.* 10*s.* 7*d.*

Criminal Classes.—The numbers returned to the police in 1859 were as follows:—Known thieves and depredators: under 16 years of age, 4,382 males, 1,546 females, total 5,928; 16 years and above, 26,478 males, 7,132 females, total 33,610; receivers of stolen goods: under 16 years of age, 85 males, 28 females, total 113; 16 years and above, 3,450 males, 844 females, total 4,294; prostitutes: under 16 years of age, 2,037; 16 years and above, 28,743; suspected persons: under 16 years of age, 3,878 males, 1,370 females, total 5,248; 16 years and above, 26,706 males, 5,734 females, total 32,440; vagrants and tramps: under 16 years of age, 3,279 males, 2,167 females, total 5,446; 16 years and above, 11,811 males, 6,096 females, total 17,907: total: under 16 years of age, 11,624 males, 7,148 females, total 18,772; 16 years and above, 68,445 males, 48,549 females, total 116,994.

There appears to be, as compared with 1858, a general decrease of the males of every class, with the exception of the vagrants; and an increase of the female thieves, except those under 16 years of age: but with regard to the prostitutes an increase both of the juvenile and the adult, reaching together 7·0 per cent. The gross total it will be seen does not vary more than is represented by an increase of 0·7 per cent.

Their proportion in the chief districts was as follows:—

The Metropolis.—Including an average radius of fifteen miles round Charing Cross, and comprising the district of the metropolitan police and the city of London police, 13,120 criminal classes, or 1 in 194·0; 6,849 prostitutes separately, or 1 in 371·6.

Pleasure Towns.—Brighton, Bath, Dover, Leamington, Gravesend, Scarborough, and Ramsgate, 2,265 criminal classes, or 1 in 87·4; 943 prostitutes separately, or 1 in 209·9.

Towns depending upon Agricultural Districts.—Ipswich, Exeter, Reading, Shrewsbury, Lincoln, Winchester, Hereford, and Bridgwater, 1,854 criminal classes, or 1 in 86·6; 666 prostitutes separately, or 1 in 241·0.

Commercial Ports.—Liverpool, Bristol, Newcastle-on-Tyne, Kingston-on-Hull, Sunderland, Southampton, Swansea, Yarmouth, Tynemouth, and South Shields, 9,389 criminal classes, or 1 in 96·4; 5,221 prostitutes separately, or 1 in 173·4.

Seats of the Cotton and Linen Manufacture.—Manchester, Preston, Salford, Bolton, Stockport, Oldham, Blackburn, Wigan, Staleybridge, and Ashton-under-Lyne, 6,090 criminal classes, or 1 in 124·6; 1,616 prostitutes separately, or 1 in 469·7.

Seats of the Woollen and Worsted Manufacture.—Leeds, Bradford, Halifax, Rochdale, Huddersfield, and Kidderminster, 2,779 criminal classes, or 1 in 137·0; 681 prostitutes separately, or 1 in 559·2.

Seats of the small and mixed Textile Fabrics.—Norwich, Nottingham,

Derby, Macclesfield, Coventry, Newcastle-under-Lyne, and Congleton, 2,208 criminal classes, or 1 in 119·4; 762 prostitutes separately, or 1 in 345·9.

Seats of the Hardware Manufacture.—Birmingham, Sheffield, and Wolverhampton, 7,685 criminal classes, or 1 in 54·4; 922 prostitutes separately, or 1 in 453·5.

So far therefore as population may be taken as the basis of calculation, the proportion of the criminal class is the highest in the three great centres of the hardware manufacture, 1 in 54·4, a very high proportion; and then at one jump follows a group of population of the most opposite class—the towns dependant upon the agricultural districts, 1 in 86·6; and the pleasure towns, 1 in 87·4; next the great commercial ports, 1 in 96·4; after these, with a marked diminishing proportion, follow the chief seats of the woven fabrics—the small mixed textile manufactures 1 in 119·4; the cotton and linen manufacture 1 in 124·6; the woollen and worsted manufacture 1 in 137·0; and lastly, contrary to many received opinions, the metropolitan districts, in a marked degree the least infested by the criminal classes, 1 in 194·0. These results have also the confirmation of the previous year's returns, from which the present only vary so far as to place the pleasure towns before instead of after the commercial ports, with which they have changed places in the rank of criminality.

The state of prostitution in the same town populations, so far as may be judged by the number of prostitutes harbouring within their limits, does not show any marked variation from the returns of the previous year. It will be assumed that the police would only include in this class those who notoriously and obviously belong to it, and that there must exist on its limits a large number of immoral characters, not yet quite degraded to its level. Taking the foregoing groups of town population, the commercial ports stand first in bad notoriety, there the prostitutes amount to 1 in 173·4; next the pleasure towns, doubtless charged with the vices of other districts, 1 in 209·9; thirdly the small towns of the rural districts, 1 in 241·0. In the seats of the manufacture of the smaller textile fabrics, where the young of both sexes are closely brought together, 1 in 345·9; next in the metropolis, 1 in 371·6, followed by the seats of the hardware manufacture, 1 in 453·5, and lastly of the great cotton and linen manufacture, 1 in 469·7, and of the woollen manufacture, 1 in 559·2.

In the agricultural districts the bad characters would be more readily known and traced by the police than when hidden in the population of towns, and their relative number is high, especially if the prostitutes, who congregate chiefly in the towns, are omitted from the calculation. The total of the criminal class is:—

Eastern Counties.—Essex, Norfolk, Suffolk, Lincoln, 10,407 criminal classes, or 1 in 122·0; 1,104 prostitutes separately, or 1 in 1150·2. South and South-western Counties.—Southampton, Wilts, Dorset, Somerset, 9,644 criminal classes, or 1 in 106·7; 1,394 prostitutes separately, or 1 in 738·7. Midland Counties.—Cambridge, Bedford, Northampton, Hertford, Oxford, Bucks, Berks, 8,966 criminal classes, or 1 in 102·5; 639 prostitutes separately, or 1 in 1439·0.

Houses of Bad Character.—The police also returned the number and class of the houses of bad character in each district. They show on the total an increase of 4·6 per cent. upon the return of the preceding year, chiefly in the increased number of public houses and beer shops of bad resort,

which may be due rather to the improved observation of the police than to an actual increase of this class of houses. The total numbers were:—

Houses of receivers of stolen goods, 3,041; houses the resort of thieves and prostitutes, viz.: public houses, 2,811; beer shops, 2,765; coffee shops, 428; other suspected houses, 1,946; brothels and houses of ill-fame, 7,991; tramps' lodging-houses, 7,294; total houses of bad character, 26,276.

Crimes Committed and Persons Apprehended.—The following are the crimes committed compared with the number of persons apprehended in each of the four quarters of the year. The apprehensions are 52·1 per cent. on the crimes, and are proportionably 2·0 per cent. higher in the summer than in the winter season:—

In October, November, and December, there were committed 14,278 crimes, and apprehended 7,366 persons; in January, February, and March, there were committed 13,999 crimes, and apprehended 7,113 persons; in April, May, and June, there were committed 11,903 crimes, and apprehended 6,368 persons; in July August, and September, there were committed 11,838 crimes, and apprehended 6,272 persons. Total crimes committed 52,018, and apprehended 27,119 persons.

The state of crime in each police district is represented by the report of the crimes committed. Looking only to some of the more grave crimes, it is shown that of the total of 95 murders committed, there were in the metropolitan police district 12, in Lancashire 19, and in Yorkshire 12, including both county and borough districts. Concealing the births of infants, with which infanticide is so closely allied, prevails in the rural districts; of 137 cases which appear in the returns, the larger portion will be found in the agricultural counties or the small boroughs connected with them. The cases of rape and attempts to ravish were mostly in the same districts. Burglary and housebreaking are also chiefly committed in the country districts, though a large number of this class of crimes is returned in the metropolitan police district, and in Birmingham, Manchester, and Sheffield. Robbery on the person, another crime of marked violence, is also most rife in the country districts, and in the metropolitan police district, Birmingham, Manchester, Liverpool, and Leeds.

The following statement shows the exact terms under which the charges against the above persons apprehended were disposed of by the magistrates—37·5 per cent. were at once liberated after a detention of probably only a few hours; 4·7 per cent. were discharged on finding bail to appear and take their trial; and 56·4 per cent. were committed to prison to await trial at the next sessions. The numbers were as follow:—Discharged, 6,887 males, 3,291 females, total 10,178; discharged on bail for further appearance if required, 238 males, 30 females, total 268; bailed to appear for trial, 1,048 males, 241 females, total 1,289; committed for want of sureties, 70 males, 9 females, total 79; committed for trial, 11,677 males, 3,628 females, total 15,305. Total—19,920 males, 7,199 females, total 27,119.

Very different results appear on an examination of the effect of the police pursuit in the chief classes of the crimes committed. In the offences against the person, 2,579 crimes are recorded, out of which arose 2,768 apprehensions, more than one person being frequently implicated in such offences, and 1,908 commitments for trial, so that 73·9 per cent. of the cases were successfully pursued by the police, a very satisfactory proportion, making every allowance for the cases where more than one commitment ensues. In the violent offences against property, 4,433 crimes are

followed by 2,204 apprehensions, and 1,609 commitments for trial, or 36·3 per cent., and probably of these two classes of crimes the great proportion are known to the police and included in these returns. Next follow the ordinary cases of theft, embezzlement, fraud, offences unaccompanied by violence; these, appear very inadequately represented by the 41,370 cases reported. They moreover led to only 18,738 apprehensions and 11,437 commitments for trial, not more than 27·6 per cent. of the offences recorded, which confirms the opinion that up to this time there exists a great impunity and long career in petty thefts, when unaccompanied by such acts of violence as create alarm and stimulate prompt information to the police to be followed by active pursuit.

Summary Convictions.—In the year 1859 charges against the following large number of persons were determined summarily:—

Proceeded against, 310,690 males, 82,120 females, total, 392,810; convicted, 213,494 males, 44,316 females, total 257,810; discharged, 97,196 males, 37,804 females, total 135,000.

It is remarkable that throughout the criminal statistics the females, from no other apparent cause than greater leniency towards their sex, bear a much smaller proportion in the convictions than the males: on the above convictions this difference is nearly 15 per cent., the proportion being of the males 68·7, of the females 53·9. The penalties imposed on those convicted are stated under the following classification:—

Imprisoned above 6 months, 71; 6 months and above 3 months, 2,467; 3 months and above 2 months, 7,529; 2 months and above 1 month, 9,071; 1 month and above 14 days, 18,951; 14 days and under, 18,415; in reformatory schools, 780; total committed, 57,284. Fined, 162,604; whipped, 476; ordered to find sureties or to enter into recognizance, 12,203; delivered up to the army or navy, 3,515; other punishments, 21,728; total convicted, 257,810.

The summary administration of justice is prompt, it does not involve any imprisonment before judgment, and considering the offences now subjected to it, the above punishments are proof of its lenient administration; 22·2 per cent. of those convicted were adjudged to be imprisoned, and the imprisonment of 7·4 per cent. only of the total convicted exceeded one month's duration.

It is difficult to classify, for the purpose of general analysis, offences so various in their character and including such different degrees of criminality. Perhaps the following exhibit the most grave of the offences within the jurisdiction of justices, and are most closely allied to those usually sent to the sessions for trial by jury:—

1. Stealing and attempts to steal: Larceny, by offenders aged under 16 years, 6,550; larceny under the value of 5s., and on pleading guilty, 13,772; attempting larceny or larceny from the person, 13,119; dogs, birds, beasts, &c., 647; fruit or vegetable productions, 2,603; fences, wood, trees, shrubs, &c., 648; total, 37,339. Of these offences the first was not made subject to summary jurisdiction till 1847, nor the two following offences, under which such an extensive jurisdiction is now exercised, till 1855; the remaining three offences have been cognizable by justices since 1827.

2. Malicious offences of damage and trespass: Destroying fences, walls, gates, &c., 1,905; fruit and vegetable productions, 770; trees, shrubs, &c., 975; total, 3,650.

The foregoing malicious offences were also made punishable by justices under the consolidating statute of 1827. Assaults: On women and children, aggravated, 3,191; on peace officers, resisting, &c., 13,329; common, 67,513; total, 84,033. Common assaults have been punishable summarily since 1828, and aggravated assaults on women and children since 1853.

4. Offences against the game laws: Trespassing in the day-time in pursuit of game, 7,175; night poaching and destroying game, 960; illegally selling or buying game, 53; total, 8,188. These large classes of offences have all been made punishable summarily within comparatively a recent date, and the severity of the sentences was at the same time very greatly reduced. The following have been selected as some of the remaining chief offences; they are of a very mixed character, many of them prohibitions only, and civil in their nature rather than criminal:—

Drunkenness and drunk and disorderly, 89,903; under the vagrant laws, 25,757; under local acts and borough byelaws, 22,554; under the highway, turnpike, railways, and carriage laws, 19,034; under the police acts, 17,678; under the licensed victuallers and beer acts, 12,944; under the laws relating to servants, apprentices, and masters, 9,891; under the weights and measures act, 6,341; under the mutiny acts, 5,559; under the poor law acts, 5,523; nuisances and offences against health, 4,553.

The comparative numbers proceeded against in the preceding two years—the information does not extend further back—stand thus:—

Total proceeded against in 1859, 392,810; in 1858, 404,034; in 1857, 369,233. Convicted in 1859, 257,810; in 1858, 260,290; in 1857, 233,474. Discharged in 1859, 135,000; in 1858, 143,744; in 1857, 135,759. These numbers prove a decrease of 2·7 per cent. on the total proceeded against in 1859, but of 0·9 only on the convictions.

The class and character of the persons apprehended by the police, both those proceeded against on indictment and summarily, are defined under the following general heads:—

Known thieves, 22,024; prostitutes, 22,755; vagrants, tramps, and others without visible means of subsistence, 16,401; suspicious characters, 51,563; habitual drunkards (not under above heads), 23,743; previous good character, 133,359; character unknown, 150,084. Total, 419,929.

Comparing the numbers of the above classes proceeded against with the numbers reported to be at large, the police are shown to have pursued during the year 22,024 known thieves and depredators against 39,538 stated to be at large, or 55·7 per cent., and 22,755 prostitutes against 30,780 at large, no less than 73·8 per cent. This may be taken as a proof of the active agency of the police in the repression of the criminal classes, but a more close test will be found in the state of the same town and county populations to which reference has already been made.

Appeals on Justices' Convictions.—Upon conviction for certain offences by justices, the right of appeal to the quarter sessions is enacted; and of the fifty-six heads of offences, appeals were entered only under eighteen. Of these appeals, 38 in number, the results, as in the preceding year, are equal—in 19 cases the convictions were affirmed, in 19 quashed. These are the only cases out of the large number of 257,810 convictions. But to them may be added the cases submitted for the opinion of the superior courts under the 20 & 21 Vict. c. 43, upon points of law; in the Court of Queen's Bench 61; Common Pleas 7; Exchequer 4.

Inquests.—The number of the inquests held last year, exclusive of preliminary inquiries by the coroners which did not result in an inquest, were :—

Murder, 89 males, 115 females, total, 204 ; manslaughter, 140 males, 58 females, total, 198 ; justifiable homicide, 17 males, 6 females, total, 23 ; suicide, or self-murder, 910 males, 330 females, total, 1,240 ; accidental death, 7,081 males, 2,160 females, total, 9,241 ; injuries, causes unknown, 223 males, 127 females, total, 350 ; found dead, 1,873 males, 1,044 females, total, 2,917 ; natural death :—from excessive drinking, 206 males, 100 females, total, 306 ; disease, aggravated by neglect, 40 males, 53 females, total, 93 ; want, cold, exposure, &c., 106 males, 56 females, total, 162 ; other causes, 3,409 males, 2,388 females, total, 5,797. Males, 14,094, females, 6,437 : total, 20,531.

These inquests rather exceed the numbers in 1858 (3·4 per cent.) and also those in 1857 ; and present one noticeable fact, in the great increase in the number of females murdered—exceeding by one-third the average of the previous three years.

The condition of those who were the subjects of the foregoing inquests in the year 1859 has been defined under three classes—showing a proportion of 52·5 per cent. adults, and nearly one third (31·3 per cent.) females.

The costs of the inquests in the last year increased only in the same ratio as the number of inquests. They are given in comparison with the three preceding years :—

1859, 60,920*l.* 16*s.* 6*d.* total cost, average 2*l.* 19*s.* 4*d.* ; 1858, 58,973*l.* 11*s.* 9*d.* total cost, average 2*l.* 19*s.* 5*d.* ; 1857, 61,541*l.* 11*s.* 7*d.* total cost, average 3*l.* 1*s.* ; 1856, 68,439*l.* 14*s.* 3*d.* total cost, average 3*l.* 1*s.* 7*d.*

CRIMINAL PROCEEDINGS.

Number Committed.—The commitments for trial last year, and the comparative numbers in the previous years, were :—

1859	16,674	1854	29,359	1849	27,816
1858	17,855	1853	27,057	1848	30,349
1857	20,269	1852	27,510	1847	28,833
1856	19,437	1851	27,960	1846	25,107
1855	25,972	1850	26,813	1845	24,303
Total	100,207	Total	138,699	Total	136,408

With regard to the past year, it will be seen that the commitments are 6·6 per cent. less than in 1858, and 17·7 per cent. less than in 1857. This decrease is very general ; it reaches all the English counties except Bedford, Cornwall, Durham, Middlesex, Northampton, Rutland, Southampton, and Westmoreland, and in each of these counties the commitments are still less than in 1857.

On an examination of the nature of the commitments in 1859, a decrease of 5·8 per cent. appears on the total of Class 1, offences against the person, but murder, and attempts to murder, concealing the births of infants, and also bigamy, have increased, though in an unimportant degree, and form an exception to the rest of the class. The crimes of stabbing, manslaughter, the unnatural offences, and rape and attempts to ravish, have diminished,

the latter considerably. Class 2—Offences against property, committed with violence, decreased in a greater degree. Following a large decrease in 1858, there was last year a further decrease of 15·8 per cent., including the chief crimes, burglary, house-breaking, and robbery. In Class 3—Offences of stealing without violence, the decrease was 5·4 per cent., and was very marked in sheep-stealing, larceny in dwelling-houses, embezzlement, receiving stolen goods, and fraud, offences not touched by the recent alteration of the law. In Class 4—Malicious offences against property, there is a slight increase. Class 5—Forgery and offences against the currency, shows a continuance of the decrease in the two preceding years, arising chiefly in the offences of uttering counterfeit coin, and the decrease on last year's commitments reaches 11·7 per cent. The miscellaneous, Class 6, slightly decreased in the face of a marked increase of offences against the game laws, and of perjury, which it includes.

But the present state of crime will be best seen on a further retrospect. There are distinctly two classes of offences, one of which springs from the state of the general community, and is of singularly uniform recurrence; the other from a separate criminal class, from time to time increased or diminished in number by external circumstances, as the price of food, the state of employment, and again more directly by changes in the police and the criminal laws, by which the class is repressed. It has also been found that in those years when the tendency to petty thefts and frauds is lessened by abundant employment for labour and cheap food, assaults and other minor offences against the person are stimulated, probably by the increased means of obtaining intoxicating liquors, which such periods afford.

The data exist for an accurate comparison of the state of crime on the commitments of the last thirty years, and selecting those crimes for which no disturbing changes have been made in the law, except so far as refers to a great amelioration of the punishments, the following results are obtained. First, with regard to those crimes which may be held largely to mark the character of the community:—

Commitments in each five Years.	1859-55.	1854-50.	1849-45.	1844-40.	1839-35.	1834-30.
Murder	345	348	365	347	315	326
Stabbing, wounding, &c., with intent to murder or do bodily harm ...	1,505	1,249	1,173	1,157	739	605
Manslaughter	1,144	1,144	980	1,050	1,024	912
Rape and attempts to ravish ...	1,239	1,395	1,263	1,221	973	837
Bigamy	449	404	399	354	215	186

In the thirty years over which this comparison extends, the population cannot be estimated to have increased less than 40 per cent. (which would account for a corresponding increase of crime), and property probably in a much greater ratio. It is satisfactory, therefore, to point out that there has been no increase during that period in the commitments for murder; but in the attempts to murder, stabbing, wounding, &c., there has been a progressive increase, which showed itself in a marked degree in 1837, on the extensive abolition of capital punishments which was then effected. In manslaughter the increase has been small, not amounting to one-half the rate of increase of the population. The commitments for rape and attempts to ravish, which on the abolition of the capital punishment in 1841 at once attained a higher rate, and have since been without important change,

increased in the last period of fifteen years 28·5 per cent., and in bigamy a large progressive increase marks each quinquennial period. These crimes are chiefly those in which the detective agency of the increased police establishments would be brought to bear rather than their powers of prevention, and there can be no doubt that the increase described may in some considerable degree be attributed to the greater ratio of detection.

The following crimes are chiefly those which may be ascribed to the existence of a criminal class :—

Commitments in each five Years.	1859-55.	1854-50.	1849-45.	1844-40.	1839-35.	1834-30.
Burglary and housebreaking ...	5,602	5,495	5,462	6,162	3,990	4,201
Robbery on the person, &c. ...	2,243	2,405	1,782	2,026	1,601	2,025
Cattle, horse, and sheep stealing ...	1,492	1,796	2,187	2,984	2,466	2,493
Embezzlement	2,085	2,048	1,812	1,805	1,384	1,109
Fraud	4,139	3,532	2,868	3,000	2,225	1,978
Arson, and attempts to commit ...	664	913	708	659	294	387
Forgery, and uttering forged instruments	1,043	863	783	781	404	331
Coining and uttering counterfeit coin	3,418	3,337	1,946	2,047	1,718	1,838
Treason, sedition, felonious riots ...	—	—	268	1,255	231	251

These comparisons are by no means unfavourable. Taking the worst offences which arise from the criminal class, and are chiefly committed by the old offenders, it is shown that for the last fifteen years the commitments for burglary and house-breaking have been without any sensible variation, and that for robbery on the person the increase, comparing the first with the last fifteen years, has not exceeded 13·7 per cent. ; but for horse, sheep, and cattle stealing in the same period, there has been an absolute *decrease* in the commitments, which has been continuous, and reaches 31·0 per cent. These are all crimes in which the agency of the police would be immediately felt, and particularly in the repression of horse, sheep, and cattle stealing. The whole tendency of crime has been, for some years, to the diminution of offences of violence, and the increase of offences of planned theft and fraud—skill in crime has succeeded violence. This is apparent in the above commitments, the increase of all of the latter class is most marked. It is gratifying again to notice the entire absence of all offences of a seditious or treasonable character for above ten years.

The numbers committed for trial before the different courts in the year 1859, and the proportion per cent. which they bore to the total for trial were—County Quarter Sessions Courts, 6,687, 40·1 per cent. ; Middlesex County Sessions, 1,606, 9·7 per cent. ; Borough Sessions Courts, 3,875, 23·2 per cent. ; Circuit Assize Courts, 3,332, 20·0 per cent. ; the Central Criminal Court, 1,174, 7·0 per cent. ; total, 16,674, 100·0 per cent.

The proceedings against those committed or bailed to appear for trial by jury in the above courts in the year 1859 had the following results : There were not prosecuted, and admitted evidence 90, no bills found against 811, not guilty on trial, 3,274, acquitted and discharged, 4,175 ; acquitted on the ground of insanity, 15, found insane, 14, detained as insane, 29 ; sentenced to death, 52, sentenced to penal servitude, 2,170, sentenced to imprisonment, 10,060, sentenced to whipping, fine, &c., 188, convicted, 12,470 ; total committed, 16,674.

The increased proportion acquitted and discharged, which followed the removal from the criminal courts of a large number of cases of petty theft by the operation of the Criminal Justice Act of 1855, has been maintained in the past year. This proportion was, not prosecuted, 0·5 per cent.; no bills found against 4·9 per cent.; not guilty by verdict of jury, 19·6 per cent. Compared with the preceding years, the relative total proportion was in 1859, 25·0 per cent.; 1858, 25·5 per cent.; 1857, 24·3 per cent.; 1856, 24·0 per cent.; 1855, 22·9 per cent.; 1854, 21·4 per cent.

A comparison of sentences for each of the last ten years, shows that the decrease of the commitments has been concurrent with a diminished severity of the punishments. Transportation has entirely ceased as a sentence. But the power to remove convicts to the penal colonies is reserved by the abolishing statute (20 & 21 Vict.), and is applicable to all convicts sentenced to penal servitude. Since this change in the punishments the sentences appear to have again found their average level. The capital punishment is a fixed sentence, for the few crimes to which it now attaches the Court has no power to award a secondary punishment; no discretion other than to abstain from pronouncing the judgment of death, except for murder, and simply to record such judgment in cases where from some favourable circumstances the culprit may be deemed a proper object of mercy. The capital convictions do not now average fifty-five yearly, and under seventy-five will probably be the average sentenced to the extreme secondary punishment, penal servitude for life. In above 80 per cent. of the convictions the sentence is one of imprisonment, and rarely for a term exceeding one year. The sentences in 1859 were as follows:—death, 52; penal servitude—for life, 17; above 15 years, 21; 15 years and above 10 years, 51; 10 years and above 6 years, 322; 6 years and above 4 years, 398; 4 years, 777; 3 years and under, 584; imprisonment—above 3 years, 1; 3 years and above 2 years, 3; 2 years and above 1 year, 806; 1 year and above 6 months, 2,739; 6 months and above 3 months, 3,198; 3 months and above 1 month, 2,147; 1 month and under, 909; detained in reformatory schools, 257; whipping, fine, discharge on sureties, 188: total convicted, 12,470.

The extreme penalty of the law was inflicted in nine of the above convictions in the year 1859, all of them murders without any extenuating circumstances which could be admitted as a ground for mercy.

The commuted punishments were 43: viz., 1 by free pardon from the Crown, 41 by penal servitude for different periods, and 1 by reformatory for five years.

The questions of law arising on the convictions in the Criminal Courts are reserved for the Court of Criminal Appeal, constituted of five judges of the Superior Courts, of whom one of the chief justices is required to be one; and the Court is empowered to hear all such questions, and to revise, affirm, or amend the judgments. 15 were the cases before the Court in the year 1859, and of these 9 judgments were affirmed and 6 were reversed.

The costs of the prosecutions and of the summary proceedings under the Juvenile Offenders Act and the Criminal Justice Act, which are defrayed from the public revenues, have been made out up to the end of the year terminating the 30th June, 1858. They belong, therefore, more specially to the statistics of that year, for which they could not be prepared in time.

	No. of Cases.	Costs.			Average each Case		
		£	s.	d.	£	s.	d.
County Quarter Sessions	7,381	62,617	11	8	8	9	8
Borough Quarter Sessions	4,311	27,168	17	2	6	6	0
Circuit Assize Courts	2,972	44,822	11	8	15	1	7
Central Criminal Court	870	4,627	16	2	5	6	4
Middlesex County Sessions	1,868	5,146	12	4	2	15	1
Total on Indictment... ..	17,402	144,383	9	0	8	5	11
Juvenile Offenders Act	1,681	1,047	11	0	0	12	5
Criminal Justice Act	12,723	13,046	0	11	1	0	6
Total, Summary Proceedings	14,404	14,093	11	11	0	19	6

The average of these costs ascertained in the previous years was:—In 1857, on indictments, 9*l.* 2*s.* 3*d.* each case; summary, 1*l.* 11*s.* 5*d.* In 1856, on indictments, 9*l.* 14*s.* 7*d.*; summary, 1*l.* 12*s.* 6*d.*

To the above costs, which are repaid to the counties and boroughs from the public revenues, must be added the expenses of the prosecutions by the solicitor of the Treasury. These are now confined to what are called "mint cases," for coining and uttering counterfeit coin, which are prosecuted by the Crown as offences against the State, and some few other cases, chiefly prosecutions by indictment ordered by the Secretary of State, either as cases somewhat of a public nature, or to prevent a failure of justice, in the absence of any party proper to be bound over to prosecute. Such cases in the year 1859 were, mint prosecutions, 484, total costs, 6,830*l.* 9*s.* 5*d.*, other prosecutions, 22, total costs, 919*l.* 19*s.* 5*d.*

PRISONS.

Number of Commitments.—The commitments of each class last year, distinguishing the sexes, were—

Commitments.	Males.	Females.	Total.	Proportion per Cent.
For trial at assizes and sessions	13,050	3,854	16,904	13·3
On summary conviction	51,875	22,894	74,769	58·9
For want of sureties	2,681	982	3,663	2·9
On remand and discharged	8,251	3,485	11,736	9·3
For debt and on civil process	14,237	883	15,120	11·9
Under the Mutiny Act	4,669	—	4,669	3·7
Total	94,763	32,098	126,861	100·0

The total of the above commitments is 9·0 per cent. less than in 1858, and the first marked decrease appear this year in the female commitments. These had increased from year to year till 1857, when they reached their maximum, having added 35·8 per cent. to their numbers since 1847. Separating, however, the more strictly criminal commitments, those for trial and on summary conviction, it is shown, on a comparison of the two last periods of five years, that this class of the commitments decreased 2·9 per cent., while the total commitments *increased* 4·9 per cent.

As a further exemplification of the comparative state of the commitments, exclusive of debtors and military prisoners, the numbers are added for each year at intervals of five years from 1839. 1859, committed, 107,072, daily

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average, 16,709; 1854, committed, 116,291, daily average, 18,108; 1849, committed, 129,697, daily average, 18,288; 1844, committed, 107,243, daily average, 16,062; 1839, committed 82,018, daily average, 14,358.

The decrease in the numbers previously committed is another proof of the improved state of the commitments last year, and the reasons previously given for the maintenance of the large proportion of recommitments, in the large increase of police and the discontinuance of transportation, place in a stronger light the decrease which has now taken place. The recommitments last year were 3,152 less than in 1858, their proportion to the total commitments, 27·5 per cent. This proportion was in 1858, 29·8 per cent.; in 1857, 29·7 per cent. The extraordinary proportion of the females has been previously the subject of remark.

It would be erroneous, however, to assume that 27·5 per cent. approximates to the proportion of the recommitments. On liberation from prison the thief who desires to reform and live honestly would leave his old haunts and associates, and the trace of him would consequently be lost, while the thief who returns to them is known to the police, and is recorded as a relapsed criminal. But as many change their haunts and names only to commence a new career of crime upon new ground, it cannot be supposed that all those who are lost sight of are reformed. The appearance of the confirmed thief is well known to the experienced policeman and gaoler, but he cannot be so recorded, as his personal identity is lost.

The classified ages of the total commitments, exclusive of debtors and military prisoners, were—Under 12 years, 1,378 or 1·3 per cent.; 12 years and under 16, 7,535 or 7·0 per cent.; 16 years and under 21, 22,846 or 21·3 per cent.; 21 years and under 30, 34,830 or 32·6 per cent.; 30 years and under 40, 19,936 or 18·6 per cent.; 40 years and under 50, 11,772 or 11·0 per cent.; 50 years and under 60, 5,261 or 4·9 per cent.; above 60 2,783 or 2·6 per cent.; age not ascertained, 731 or 0·7 per cent.: total, 107,072.

The proportion of the juvenile class, those under 16 years of age, reached its maximum in 1856, and was then 12·3 per cent. on the total of the commitments. It has since progressively decreased: viz. 10 per cent. in 1857; 8·7 per cent. in 1858; and 8·8 per cent. in 1859.

The birth-place of the prisoners once ascertained presents from year to year little ground for remark. In 1858 the proportion of Irish committed slightly decreased; last year the result is reversed, and the proportion of both the Irish and Scotch prisoners again increased. The proportion was 77·9 per cent. English; 2·6 per cent. Welsh; 2·1 per cent. Scotch; 14·1 per cent. Irish; 0·5 per cent. Continent and East Indian; 1·6 per cent. foreign; and 1·1 per cent. not ascertained.

The state of instruction of those committed continues in the like manner without material change, the only tendency being to an increase of those who are able to read and write imperfectly, nearly six-tenths of the whole, which may be attributed to the progress of the class from which the prisoners come.

The proportion was—Neither read nor write, 35·7 per cent.; read, or read and write imperfectly, 58·8 per cent.; read and write well, 4·3 per cent.; superior instruction, 0·3 per cent.; instruction not ascertained, 0·9 per cent.

The occupation of the prisoners again prove only a repetition, with but little change of the results already established; the only noticeable fact being a decrease in the total returned as of "no occupation," though the

females under this head, probably prostitutes, had increased. The proportion was—No occupation, 19·4 per cent.; domestic servants, 4·1 per cent.; labourers, charwomen, needlewomen, 42·4 per cent.; factory workers, 4·5 per cent.; mechanics and skilled workers, 19·6 per cent.; foremen and overlookers of labour, 0·1 per cent.; shopmen, shopwomen, clerks, &c., 1·1 per cent.; shopkeepers and dealers, 3·1 per cent.; professional employments, 0·3 per cent.; sailors, mariners, soldiers, 4·4 per cent.; occupations not ascertained, 1·0 per cent.

The numbers committed to the county and borough prisons, and the removals therefrom in the year, were—Number in prison at the commencement of the year, 17,920; committed during the year, 126,861; removals between local prisons during the year, 3,514: total, 148,295. Removed from the local prisons: to Government and other prisons, 8,991; to reformatory schools, 936; to lunatic asylums, 124. Discharged: on pardon or commutation of sentence, 163; on ticket-of leave, 6; on the termination of sentence or commitment, 122,316. Escaped, 6; committed suicide, 9; died, 160; executed, 10: total, 132,721. Remaining in prison at the end of the year, 15,574.

It has already been stated that there was a decrease last year of 9·0 per cent. on the commitments, but the decrease in the number remaining in prison is, as shown by the above account, much greater. It rises to 13·0 per cent.; and the difference will be accounted for in the lesser duration of the sentences, added to some increase in the proportion removed and discharged. Such a decrease in the numbers under detention will tend to the relief of the prisons, which, so far as may be judged by the total results, are fully equal to the rate of the commitments last year.

There is a tendency to an increased amount of sickness in the prisons, the lesser average number of prisoners being considered, but it is only in the cases of slight indisposition. The infirmary cases and the number of deaths which must be referred to as the true sanitary test, have kept pace with the decrease of the commitments.

The prison punishments have decreased in a greater degree than the prison population. To this they bore the proportion, in 1859, of 44·5 per cent., in 1858 of 48·6 per cent., and in 1857 of 52·9 per cent., the greatest amount of decrease arising in the severe punishments, which can alone be inflicted on the order of the justices. The nature of the punishments in 1859 were—Whipping, 108; irons or handcuffs, 88; solitary or dark cells, 11,002; stoppage of diet, 35,065; other punishments, 1,441: total, 47,704.

The number of prisons' officers continues the same as in 1858.

The statement of the annual charge for the prisons is continued under the same heads as in the preceding years, so as to show separately the cost of the buildings, of the establishment of officers, and of the prisoners, and the various items of charge under each head—

1. Buildings and establishment charges: Extraordinary charges: Repayment of money borrowed, interest, &c., 62,489*l.* 7*s.* 1*d.*; new buildings, additions and alterations, 25,229*l.* 2*s.* 1*d.* Ordinary annual charges: Necessary repairs, 20,024*l.* 4*s.* 4*d.*; rent, rates, taxes, 2,973*l.* 16*s.* 6*d.*; fuel and light, 31,345*l.* 5*s.*; furniture, bedding, &c., 7,043*l.* 18*s.* 5*d.*; printing, stationery, and books, 5,527*l.* 13*s.* 11*d.*; removal of prisoners, 5,612*l.* 3*s.* 4*d.*; other establishment charges, 18,585*l.* 18*s.* 9*d.*: total, 178,804*l.* 9*s.* 5*d.*

2. Officers: Salaries and fees, 175,568*l.* 8*s.* 10*d.*; clothing and allow-

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ances, 8,084*l.* 7*s.* 1*d.*; pensions, 8,935*l.* 7*s.* 9*d.*: total, 192,588*l.* 3*s.* 8*d.* 3. Prisoners: Diet, sick allowances, medicines, 98,027*l.* 2*s.* 4*d.*; clothing, washing, cooking, 22,807*l.* 9*s.* 11*d.*; earning or other payments on discharge, 1,520*l.* 1*s.* 3*d.*: total, 122,354*l.* 13*s.* 6*d.*: grand total, 493,747*l.* 6*s.* 7*d.*

The expenses under the first two heads would be but little affected by the decrease of the committals in the year, and the third head depends nearly as much upon the price of food as upon the numbers imprisoned. The yearly average charge per prisoner under each division of cost was:—Buildings and fittings: extraordinary charges, 5*l.* 5*s.*; ordinary annual charges, 5*l.* 9*s.*; officers and attendants, 11*l.* 10*s.* 6*d.*; prisoners' diet, clothing, &c., 7*l.* 6*s.* 5*d.*: total, 29*l.* 10*s.* 11*d.* Or, omitting the extraordinary charge for buildings and fittings, 24*l.* 5*s.* 11*d.*

This average charge of 24*l.* 5*s.* 11*d.* is much exceeded in some of the prisons, even excluding those having only a very small average number of prisoners. The average of the county prisons varies from 60*l.* 9*s.* 4*d.* in the Lincoln county gaol to 16*l.* 18*s.* 4*d.* in the Salford county house of correction. As examples of the higher scale there may also be quoted:—Newgate, 57*l.* 3*s.* 5*d.*, Walsingham county house of correction, 49*l.* 1*s.* 11*d.*, Swaffham county house of correction, 48*l.* 18*s.* 7*d.*, Abingdon county gaol, 48*l.* 16*s.* 8*d.*, Hereford county gaol, 48*l.* 11*s.*, and to these should be added the Queen's Prison, a general debtor's prison, 55*l.* 14*s.* 2*d.* Of the lower scale the following, after Salford, are the most prominent:—Durham county gaol, 16*l.* 19*s.* 9*d.*, Stafford county gaol, 18*l.* 10*s.* 6*d.*, Cardiff county gaol, 19*l.* 3*s.* 3*d.*, Hants county gaol, 20*l.* 3*s.* 4*d.*, and Kent county gaols, Canterbury, 19*l.* 15*s.* 6*d.*, and Maidstone 20*l.* 10*s.* 9*d.* These great differences in cost will appear to refer chiefly to the proportion which the officers' salaries bear in the charge. The same inequalities of costs exist in the borough prisons.

As the county and borough prisons are provided and controlled by the local authorities, so their expenses have always been a charge upon the local rates and funds; but since the year 1846 the State has paid a portion, amounting to about one-fourth, which is annually voted by Parliament, to reimburse the counties and boroughs the payments defined in the following account of the funds from which the expenses have been defrayed:—

Prison receipts: profit of prisoners' labour, 25,410*l.* 7*s.* 9*d.*; vagrants' money applied to maintenance, 147*l.* 12*s.* 5*d.*; other small contingent receipts, 3,955*l.* 1*s.* 4*d.* Local rates and funds: of counties, 253,294*l.* 7*s.* 2*d.*; of cities or boroughs, 92,826*l.* 6*s.*; of other counties for prisoners under contract, 1,785*l.* 15*s.* 6*d.*; of other boroughs, 16,910*l.* 4*s.* 10*d.* Public revenues: proportion of the charge for convicted prisons, 86,229*l.* 15*s.* 5*d.*; payment for convicts under contracts in local prisons, 5,644*l.* 9*s.* 8*d.*; removal of convicts, 3,445*l.* 11*s.* 3*d.*; customs, for revenue prisoners, 645*l.* 2*s.* 1*d.*; army, for military prisoners, 3,452*l.* 13*s.* 2*d.*: total, 493,747*l.* 6*s.* 7*d.*

Convict Prisons.—The convict prisons are appropriated exclusively for convicts sentenced under the Acts of 1853 and 1857 to periods of penal servitude, a sentence substituted for transportation, varying from three years to life. These prisons, with a view to the establishment of a better system of discipline, have been substituted for the hulks, which have at last been entirely superseded. The convict prisons now in operation are—Pentonville and Millbank, for prisoners undergoing the first stage of dis-

cipline in separate confinement, both males and females. Portland, Portsmouth, and Chatham, for male prisoners undergoing the first stage of discipline and industrial training on public works. Dartmoor, for male invalid prisoners capable only of light labour on the land. Lewes, temporarily used for confirmed invalid male prisoners, and to be given up on the completion of the new invalid prisons now erecting at Woking. Parkhurst, Isle of White, the reformatory for convicted boys. Brixton, exclusively for female prisoners under the second stage of discipline. Fulham Refuge, also exclusively for female prisoners under instruction and employed in laundry and other useful domestic work. These prisons are entirely under the control of the Secretary of State for the Home Department. Their cost is defrayed from the public funds, and their management is under the immediate superintendence of the chairman and directors of convict prisons. Additional accommodation for the prisoners at the charge of the Government is provided in two county prisons, as mentioned hereafter.

The returns for the convict prisons for the year 1859, made by the chairman of the directors, give these results:—

Disposal of the convicts: undergoing punishment at commencement of the year, 7,628; received from county and borough prisons, 2,755: total in the year, 10,383. Removed to the colonies, viz.: Western Australia, 224; Gibraltar, 140. Removed to county gaols, 1; removed to schools or reformatories, 1; removed to lunatic asylums, 38. Discharged in the year, viz.: on termination of sentence, 1,747; on tickets-of-leave, 252; on commutation of sentence, 24; on pardon, 13; died, 87; committed suicide, 1; escaped, 3: total disposed of during the year, 2,531; remaining in prison at the end of the year, 7,852: total daily average in the year, 7,749.

This statement proves an increased number in the convict prisons at the end compared with the commencement of the year, chiefly arising on the females. By comparing the daily average, however, a total decrease of 14·1 per cent. is shown, so that the numbers must have increased towards the end of the year; but in connection with any estimate of the numbers in the convict prisons at home, it is essential to note the very diminished numbers removed to Western Australia (the only penal colony which now receives them), and to the two military stations at which they are employed in the public works, and brought to this country for discharge on the termination of their sentences. These numbers were:—1,032 in 1857; 1,390 in 1858; and 364 in 1859.

Tickets of Leave.—The conditions have nearly disappeared which on the sudden restriction of the means of transportation to a penal colony necessitated a large discharge of convicts at home and led to the adoption of the license or ticket-of-leave system. It is probable that in the limited number of such discharges now granted the licence will prove an additional safeguard to the public and a wholesome restraint to the discharged convict. These discharges were, in 1856, 2,892; in 1857, 922; in 1858, 312; and in 1859, 252 only.

The state of the different convict prisons during the year was as follows: On the commencement of the year the number was 6,556 males, 1,072 females. During the year there were received 5,359 males, and 802 females. And in the year there were removed and disposed of 5,265 males, and 672 females, being in custody, 6,650 males and 1,202 females, the daily average having been 6,588 males, and 1,161 females.

The following are the actual prison expenses, exclusive of the gratuities paid to the convicts on their discharge, with allowances for their clothing and travelling, which average about 20,000*l.* in addition :—Building and repairs, &c., 36,137*l.*; officers' salaries wages and allowances, 104,501*l.*; prisoners' diet, clothing, &c., 107,079*l.*: total, 247,716*l.*, giving a gross annual cost per convict of 31*l.* 19*s.* 3*d.*

Reformatory Schools.—It is only within these few years that the law has made any distinction with regard to the offences and punishment of children. Till 1847 the child and the adult charged with any offence were, in practice, alike in the eye of the law. In that year two justices were empowered (Stat. 10 & 11 Vict. c. 82.) to deal with offenders apparently under the age of fourteen years charged with simple larceny, and to adjudge imprisonment not exceeding three months or fine, with the addition of whipping in the case of a male. In 1850 these provisions were extended to offenders apparently under sixteen years of age (Stat. 13 & 14 Vict. c. 37). These enactments for the trial of youthful offenders, by which their long imprisonment in gaol before trial was obviated, were followed in 1854 by special provisions on conviction for their teaching, discipline, and industrial training. Pursuant to the statute then passed (17 & 18 Vict. c. 86., amended by 19 & 20 Vict. c. 109.), youthful offenders, either convicted before justices or before the ordinary courts, may, after a short imprisonment, be sent to a reformatory school for not less than two years or more than five years. Reformatory schools are charitable institutions privately established, supported, and managed, and when certified by the Secretary of State, after the report of a prison inspector, they become places of legal detention, upon conviction, for young offenders, who are associated with the unconvicted inmates, and subjected to the discipline and treatment of a school rather than of a prison. They are liable to imprisonment if they attempt to escape. They may be liberated by the order of the Secretary of State. The cost of their maintenance is defrayed from the public funds, and may be recovered from their parents or relations.

The total number of certified schools in 1859, was 49; offenders committed, 922.

The total expenses for this class of prisoners are defrayed from the public revenues at the rate of 7*s.* each per week, and amounted last year to 38,853*l.* 1*s.* 3*d.* The total recovered from the parents in diminution of this charge was 1,594*l.* 0*s.* 8*d.* I have not classed with the foregoing the commitments to the Middlesex industrial school, established under the local statute 17 & 18 Vict. c. 163, though this school is in fact a reformatory, differing little in principle from those established under the general act. The chief points of difference are that the commitments are made direct to the school, without any intervening imprisonment in gaol; and that the age of those committed is limited to 14 years, and the period of detention to not less than one year nor exceeding three years. The expenses of the school are defrayed from the county rate, but two justices are empowered to make an order for a payment not exceeding 3*s.* per week on the parents or guardians of any offender detained, towards his maintenance. The first school built under the act was opened at Feltham for boys only, in January 1859. The number of commitments in the first year, up to 30th September were, after conviction by jury, 28, on summary convictions, 47; total 75. The costs, which are borne by the county, were 809*l.* 4*s.* 1*d.*, in diminution of which 20*l.* 16*s.* 3*d.* were recovered from the parents.

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In 1857 another measure was enacted, which may be deemed supplementary to the foregoing reformatory measures. It applies to vagrant, destitute, and neglected children at large, not yet brought within the criminal class, and renders existing schools, whether district, primary, or workhouse schools, eligible, on being certified by the Committee of Privy Council on Education, to receive, feed, and teach any child above the age of 7 and under the age of 14 years, who is taken into custody on a charge of vagrancy, if the parent or relative cannot at once be found; and a justice is empowered to send such child brought before him to an industrial school for one week; and after full inquiry, he may then order it to be discharged on the relatives or guardian becoming surety for its good behaviour for twelve months, or in default of proper surety may remit it back to the school for any period necessary for its education and training; provision is also made that a child may be sent to a certified school of the religious denomination of the parents, and for its discharge on due surety being at any time given, or suitable employment provided. Under these enactments eighteen schools had been certified up to the 30th September last, ten in the metropolis and eight in the provinces. But the Act appears to have been nearly inoperative, the managers expressing, in several instances, their disappointment and regret that no commitments have been made to their schools. The commitments have only been made to seven schools, in which 58 males and 38 females remained in custody at the end of the year; of these 96 children, 91 were committed to one school alone, and it seems very questionable whether these children have not rather been brought within the requirements of the Act, than strictly committed on charges of vagrancy under its provisions.

Criminal Lunatics.—The returns of the criminal lunatics under detention are continued as in the preceding years. The numbers in the year 1859, and their disposal, were as follows:—

Under detention at commencement of the year, 684; received from other asylums, 17; committed in the year, 200: total, 901. Discharged or removed, viz.: died, 43; committed suicide, 1; escaped, 4; on becoming sane, 54; removed, sane, for trial or punishment, 16; removed to other asylums, 54: total, 172. Remaining under detention, 729.

The numbers remaining under detention form a further increase in 1859; the numbers in the former years having been, in 1858, 686; in 1857, 618; in 1856, 597: the increase being probably more owing to the greater vigilance exercised by the increased police forces, in providing for the safe detention of insane persons, than to their increase; but as their detention has no limit, the tendency must be to increased numbers.

The total charges for the detention of the above criminal lunatics in the year were 23,376*l.* 16*s.* 5*d.*, and this was defrayed from the following funds under the different circumstances of the commitments. County rates, 4,067*l.* 10*s.* 9*d.*; borough rates or funds, 1,057*l.* 13*s.* 6*d.*; parish rates, 5,316*l.* 19*s.* 1*d.*; public revenues, 11,276*l.* 19*s.* 4*d.*; private funds, 1,657*l.* 13*s.* 9*d.*: total, 23,376*l.* 16*s.* 5*d.*

PART II.

COMMON LAW—EQUITY—CIVIL AND CANON LAW.

Common Law Courts.—The three Superior Courts of Common Law exercise on the plea side, except in some few special instances, a common jurisdiction under the same forms of procedure, the Court of Queen's Bench having also its own peculiar supreme jurisdiction on the Crown side. This jurisdiction in the year 1859 is represented by the following proceedings:—On writs of mandamus—applications on affidavit, 59; on quo warranto—informations filed, 7; on writs of habeas corpus—applications for writs, 34; on writs of certiorari—writs issued, 99; judgments and executions, 12; on grand jury bills, 1; on informations ex officio, 1; on orders of sessions—removed into Queen's Bench, 25; on special cases from Quarter Sessions (12 & 13 Vict. c. 45), 12; on special cases on proceedings before justices (20 & 21 Vict. c. 43), 61. And the amount of the jurisdiction exercised by each of the three courts on the plea side is shown by the following summary of their chief proceedings extracted from the valuable returns made by the Masters:—

Nature of the Proceedings.	TOTAL.		QUEEN'S BENCH.		COMMON PLEAS.		EXCHEQUER.	
	Process issued.	Matters heard.	Process issued.	Matters heard.	Process issued.	Matters heard.	Process issued.	Matters heard.
Writs of Summons issued	86,270	...	27,851	...	21,445	...	36,974	—
Writs of Capias ...	582	...	224	...	163	...	195	—
Appearances entered ...	23,762	...	8,241	...	6,312	...	9,209	—
Judgments ...	31,818	...	10,687	...	6,943	...	14,188	—
Executions ...	22,878	...	7,414	...	5,114	...	10,350	—
Motions for New Trials ...	...	531	...	170	...	154	...	207
Other special Motions ...	...	641	...	199	...	222	...	220
Hand Motions and on Side Bar Rules ...	3,196	...	1,140	...	775	...	1,261	—
Causes referred to Masters	550	...	205	...	84	...	261	—
Total Amount of Fees	£58,902	1 0	£22,519	2 0	£12,964	0 6	£23,418	18 6

At their next stage, the proceedings appear as returned by the Associates on their entry for trial, but in the following table the causes for trial on circuit also include 33 suits entered in the Common Pleas of Lancaster, and four in the Court of Pleas of Durham, with two issues from the Court of Probate.

Number of Causes.	TOTAL.		QUEEN'S BENCH.		COMMON PLEAS.		EXCHEQUER.	
	West-minster.	Nisi Prius.	West-minster.	Nisi Prius.	West-minster.	Nisi Prius.	West-minster.	Nisi Prius.
Entered for trial ...	2,209	1,180	741	478	588	194	700	508
Trials ...	—	807	—	329	—	128	—	350
Defended ...	965	—	358	—	280	—	327	—
Undefended ...	167	—	21	—	64	—	82	—
Withdrawn, struck out, &c.	832	205	299	85	240	38	293	82

The number of the suits tried at *Nisi Prius* on each circuit was, Home Circuit, 277; Midland Circuit, 120; Norfolk Circuit, 49; Oxford Circuit, 143; Northern Circuit, 132; Western Circuit, 135; South Wales Circuit, 33; North Wales Circuit, 35; Lancashire Common Pleas, 265; Durham Common Pleas, 30.

It is singular to note the continued preference in the resort to these courts, arising it is assumed out of the ancient differences with respect to taxation and fees, which though they have long since disappeared, leave this trace of their influence. The proportion of the writs of summons issued was, in the Queen's Bench 32·3 per cent., in the Common Pleas 24·8 per cent., and in the Exchequer 42·9 per cent. These differences disappear largely on the more onerous business of the court; thus on the causes tried the proportion was, Queen's Bench 33·5 per cent., Common Pleas 30·4 per cent., Exchequer 36·1 per cent.; but they would of course appear again on the judgments, the proportion of which was, Queen's Bench 33·6 per cent., Common Pleas 21·8 per cent., Exchequer 44·6 per cent. The amounts recovered are in nearly the same proportion as the judgments.

To represent fully the labours of the courts, the extensive business in chambers, which has so greatly increased under the operation of the Common Law Procedure Acts, must be added,—summonses, 41,315; common orders, 34,024; special orders, 10,846; certificates, special cases, special verdicts, fiats, &c., 2,085; affidavits, affirmations, &c., 28,300; affidavits filed, 17,636; approbations for taking affidavits or special bail, 582; acknowledgments by married women, 543; office copies (number of folios), 10,667; recognizances, 62; writs of error, 1; bail, 55; committals, 257; exhibits before judge, 4,147; producing judge's notes, 123; bills of exceptions signed by judge, 2; attendances in any court on subpoena, 38; attendances as a commissioner to take affidavits, 53; reports on private bills, 4; attendances by counsel (each side), 3,545; appointment of commissioners, 853; admissions, 360; justification of bail, 1; Common Pleas at Lancaster, orders, 0; summons and order to try issue before sheriff, 3.

The proceedings of the Court of Error complete the business of the three superior courts in the year. The cases submitted to the revision of this court were:—Proceedings of the Court of Error: notices and writs of error, 34; set down for argument, 32; writs affirmed, 11; writs reversed, 2; remanets, 5. Appeals from the Court in Banco: notices of appeals lodged, 44; set down for argument, 20; affirmed, 14; reversed, 4; remanets, 5.

The Masters appended to their returns an account of the receipts to the suitors' fund, with the payments made thereout and the balance. Amount of fund on 1st January, 1859, 38,659*l.* 18*s.* 7*d.*; amount paid in during the year, 110,650*l.* 2*s.* 7*d.*: total to 1st January, 1860, 149,310*l.* 1*s.* 2*d.* Amount paid out during the year, 112,286*l.* 13*s.* 11*d.*: balance 1st January, 1860, 37,023*l.* 7*s.* 3*d.* Fees levied by the common law masters,—amount levied during the year 1859, 58,902*l.* 1*s.* 0*d.*; amount disbursed for salaries, &c., 38,057*l.* 7*s.* 10*d.*: balance 1st January, 1860, 20,844*l.* 13*s.* 2*d.*

County Courts.—The great resort to these courts, and the influence which they exercise, will be apparent from the amount of the proceedings. There were in the year 1859,—plaints entered (including 61 cases sent from the superior courts), 714,623. Causes determined: with a jury, 988; without a jury, 372,669; total, 373,657. Judgments: for plaintiff, 285,984;

for plaintiff by consent, 137,978; for plaintiff by default, 588; nonsuit, 8,861; for defendant, 9,089: total, 442,500. Judgment summonses: issued, 118,872; heard, 55,082. Warrants of commitment: issued, 27,284; debtors imprisoned, 9,003. Executions against goods: issued, 98,589; sales made, 3,776. Total amount for which plaints entered, 1,754,971*l*. On judgments obtained by plaintiffs on original hearings: amount of debts, 851,732*l*; amount of costs, 37,628*l*: total amount of fees on all proceedings, 215,623*l*. Recourse is had to these courts in the majority of cases to enforce the payment of debts rather than to determine disputed liabilities. Of the large number of cases entered above one-half (52·2 per cent.) were settled after the issue of the summons, without any issue before the court; of the judgments, which are returned in more full detail than in the previous year, 64·6 per cent. were for the plaintiff; and by consent, and settlement of the terms of payment, which may then be enforced by the court, 31·2 per cent. more, by default on special summons to obtain judgment 0·1 per cent. only; so that in 96 cases nearly in the 100 the issue was for the plaintiff. The remaining 4 per cent. was nearly in equal proportions on nonsuit and for the defendant. The extreme remedies sought to enforce these judgments were proportionately few. The debtors imprisoned did not exceed 2·2 per cent. The sales made on executions against goods were only 0·8 per cent. The total amount sought to be recovered was 1,754,971*l*, an average of 2*l* 9*s*. 1*d*. each case, and judgments were obtained for rather less than half these sums. The judgments show the nature of the litigation: 250,189 were in cases of 40*s*. and under; 72,829, for 5*l*. and above 40*s*.; 26,790, for 10*l*. and above 5*l*.; 11,225, for 20*l*. and above 10*l*.; 3,631, for 50*l*. and above 20*l*.; and 16, by consent of both parties, above 50*l*. Of the jurisdiction given to the County Courts in other matters, that relating to insolvency will be found separately distinguished in the returns of the Court for the Relief of Insolvent Debtors, and in the same manner, the jurisdiction in contentious testamentary matters is included in the returns for the Probate Court, made by the district registrars, and relates to all probates or administrations "granted under the direction of a judge." Under the Charitable Trusts Act, 140 cases were heard and orders made granting relief in 137 cases. Protection orders to women deserted by their husbands were registered in 719 cases; in six cases such orders were on hearing discharged.

Borough, Hundred, and Manorial Courts.—In 23 of these courts only were any plaints entered in the year. In each of nine courts only the total amounts claimed exceeded 1,000*l*.; but in three of these courts, the Court of the Sheriff of London, the Manchester Court of Record, and the Court for the Hundred of Salford, a large jurisdiction was exercised.

Lord Mayor's Court, London.—The peculiar and varied jurisdiction of the Lord Mayor's Court, London, extending over a variety of matters affecting the city customs, foreign attachments, sequestrations, apprenticeship, &c., in addition to the ordinary jurisdiction for debt in all civil actions, except replevin, and in matters of equity, could only be adequately represented in a separate table to which I would refer, only stating that the total number of actions, attachments, and proceedings was 3,754, the total amount of debts or claims 392,978*l*, and the total fees, exclusive of costs, 1,869*l*.

Courts of Bankruptcy.—The total proceedings in the London Court and the seven provincial courts have been—petitions for adjudication by creditors, 648; petitions for adjudication by traders against themselves,

314; number of such petitions prosecuted to adjudication, 912; petitions for private arrangement under the control of the court, upon which adjudications in bankruptcy were made, 31. The total number of persons declared bankrupt under these proceedings, whether trading singly or in partnership, was 1,054, and of these 893 passed their last examination, the total amount of the debts upon their balance sheets being 3,645,037*l.*, and the number of bankruptcies classed as follows:—under 300*l.*, 21; 300*l.* and under 500*l.*, 70; 500*l.* and under 1,000*l.*, 222; 1,000*l.* and under 5,000*l.*, 439; 5,000*l.* and under 10,000*l.*, 73; 10,000*l.* and under 20,000*l.*, 31; 20,000*l.* and under 50,000*l.*, 22; 50,000*l.* and under 100,000*l.*, 2; above 100,000*l.*, 3. Of the above large debt, which averages in each case 4,081*l.*, or 29*l.* 0*s.* 6*d.* per cent., on the balance sheets, 1,057,834*l.* was realized by the court, and after the deduction of 118,641*l.* for special charges, mortgages, liens, rents, taxes, &c., owing by the bankrupts' estates at the time of adjudication, 939,193*l.* was received by the official assignees for administration, the charges attendant upon which are thus stated:—bankrupts' allowance, 15,749*l.*, or 1*l.* 13*s.* 6*d.* per cent.; excepted articles, 9,272*l.*, or 19*s.* 8*d.* per cent.; accountant, for bankrupts' balance sheet, when paid out of the estate, 7,538*l.*, or 16*s.* 1*d.* per cent.; solicitors' charges for business in the court, 116,481*l.*, or 12*l.* 8*s.* per cent.; solicitors' charges for costs in Chancery, Common Law, and other business not taxed by master or registrar of the Court of Bankruptcy, 14,657*l.*, or 1*l.* 11*s.* 2*d.* per cent.; court per centage on the total monies received by the official assignees for administration, 29,098*l.*, or 3*l.* per cent.; official assignees, for remuneration, received (including 17,821*l.* paid thereout for rent, salaries, and office expenses), 50,041*l.*, or 5*l.* 6*s.* 6*d.* per cent.; brokers' charges, 5,287*l.*, or 11*s.* 3*d.* per cent.; auctioneers' charges, 16,156*l.*, or 1*l.* 14*s.* 5*d.* per cent.; accountants' charges, if employed by assignees, 1,298*l.*, or 2*s.* 7*d.* per cent.; messengers' charges, 25,503*l.*, or 2*l.* 14*s.* 3*d.* per cent.; other charges, being for payments specially ordered by the court, or not above enumerated, and including sums expended for carrying on trade and completing building contracts, 25,269*l.*, or 2*l.* 13*s.* 9*d.* per cent.: total, 316,347*l.*, or 33*l.* 11*s.* 2*d.* per cent.

By these expenses and allowances the total for dividend is reduced one-third (33*l.* 11*s.* 2*d.* per cent.); debts amounting to 8,990*l.* payable in full were discharged. The sum of 687,244*l.* was available for dividends to the other creditors; this sum averaging 18*l.* 17*s.* 1*d.* per cent. on the total debts in the balance sheets, and 73*l.* 3*s.* 5*d.* per cent. on the amount realized for administration. The rates in the pound at which the dividends were ordered were:—In 373 cases, nil; in 610 cases, under 2*s.* 6*d.*; in 231 cases, 2*s.* 6*d.* and under 5*s.*; in 100 cases, 5*s.* and under 7*s.* 6*d.*; in 47 cases, 7*s.* 6*d.* and under 10*s.*; in 36 cases, 10*s.* and under 15*s.*; in 4 cases, 15*s.* and under 20*s.*; in 20 cases, 20*s.* The class of certificate awarded marks the opinion of the commissioner with regard to the bankrupt's transactions, and the degree of culpability which they exhibit. The certificates granted were,—*first class*, immediate, 100; *second class*, immediate, 390, suspended, 59; *third class*, immediate, 216, suspended, 10. Certificates were refused in 10 cases, with protection; in 20 cases without. The previous bankruptcy or insolvency of those whose certificates were adjudged forms another means of judgment upon the cases, but is wanting in the returns for 1859, from the omission of two courts to continue this record. The commissioners, however, in going through the cases for the award of the certificates,

noted the apparent causes of the bankruptcies under these heads:—Reckless and unsound speculations, excessive trading, 295 cases; interests, discounts, accommodation bills, suretyship, 124 cases; incompetence, neglect, personal extravagance, 323 cases; leaving only 145 cases to unavoidable misfortunes. On the foregoing amount of business there were 43 appeals, the number being increased by seven separate appeals in one case. On 21 appeals the judgment was affirmed, in 12 reversed, on seven varied, and three cases were pending or abandoned.

Looking from these general results to the relative amount and nature of the business in the courts separately, it is shown that the proportion of the business transacted in each was, in—The London Court, 5 commissioners, 48·1 per cent.; the Birmingham Court, 1 commissioner, 15·3 per cent.; the Leeds Court, 2 commissioners, 10·9 per cent.; the Liverpool Court, 1 commissioner, 8·2 per cent.; the Bristol Court, 1 commissioner, 6·4 per cent.; the Manchester Court, 2 commissioners, 5·5 per cent.; the Exeter Court, 1 commissioner, 3·7 per cent.; the Newcastle-on-Tyne Court, 1 commissioner, 1·9 per cent. On the average amount of the dividends ordered calculated on the amounts of debts in the balance sheets, a remarkable difference appears, which arises in the proportion of the produce of the estates realized. Thus the amount of the dividend per cent. was, in the Leeds Court, 66*l.* 17*s.* 2*d.*; the Exeter Court, 21*l.* 17*s.* 7*d.*; the Liverpool Court, 20*l.* 17*s.* 11*d.*; the Newcastle-on-Tyne Court, 20*l.* 7*s.* 4*d.*; the London Court, 15*l.* 11*s.* 8*d.*; the Manchester Court, 13*l.* 3*s.* 7*d.*; the Bristol Court, 12*l.* 5*s.* 3*d.*; the Birmingham Court, 9*l.* 1*s.* 4*d.* Secondly, as to the proceedings under private arrangements under the control of the court without bankruptcy, by which traders unable to meet their engagements may submit themselves to the jurisdiction of the court, and obtain protection for person and property until further order, and release if imprisoned for debt (Stat. 12 & 13 Vict. c. 106.) These proceedings were:—Petitions filed during the year, except those on which adjudications of bankruptcy have been made, 93; petitions in prosecution during the year under which resolutions of creditors have passed for vesting the estates of the petitioners. In trustees or for carrying out a composition without the intervention of the official assignees, 35; in the official assignee alone or jointly with others as trustees, or where he is otherwise a party to carrying out a composition, 31: total number of petitioning traders whether trading singly or in partnership, 123. The total amount of the debts in the balance sheets or accounts filed by the petitioners was 921,154*l.*, classed as follows:—Number of petitions under 1,000*l.*, 6; number of petitions above 1,000*l.* and under 5,000*l.*, 29; number of petitions above 5,000*l.* and under 10,000*l.*, 8; number of petitions above 10,000*l.* and under 20,000*l.*, 8; number of petitions above 20,000*l.* and under 50,000*l.*, 4; number of petitions above 50,000*l.* and under 100,000*l.*, 3; number of petitions above 1,000,000*l.*, 2.

The amount of these debts bears no relation to the gross produce of the estates in cases where the official assignee is trustee alone or jointly with others (returned as 31,531*l.*); for the chief registrar explains in a note to the returns, that the debts in the balance sheets refer to all cases in which the petitioners have filed their accounts, but the monies received relate only to those cases in which the official assignees have been appointed by the resolutions as the trustees, or the parties to pay any composition. In other cases, where the estates have been assigned to or have vested in trustees, or a composition is paid by the petitioning trader without the intervention

of the official assignees, the estates are practically withdrawn from the control of the court, and the accounts of the administration of the estates are not passed or filed in court.

The total amount received by the official assignees for administration was 43,541*l.*, upon which the expenses for administration, which are given in the table with the same detail as in bankruptcy, were 6,057*l.* or 13*l.* 18*s.* 2*d.* per cent., and the dividends or composition after the payment of 3,268*l.* for special charges and deductions, mortgages, liens, rent, taxes, &c., and 4,117*l.* for debts payable in full, were at the following rates:—In 3 cases, nil; in 14 cases, under 2*s.* 6*d.* in the *£*; in 9 cases, 2*s.* 6*d.* and under 5*s.*; in 10 cases, 5*s.* and under 7*s.* 6*d.*; in 2 cases, 7*s.* 6*d.* and under 10*s.*; in 2 cases, 10*s.* and above. The remaining business of the court consists of the proceedings under the Stat. 11 & 12 Vict. c. 45. for the dissolution and winding-up of Joint Stock Companies and other partnerships unable to meet their pecuniary engagements. This class of business has fallen almost exclusively to the London Court:—Petitions against or by Joint Stock Companies, under winding-up acts filed in the court, 17; cases remitted from the Court of Chancery; orders made for winding-up, 11; petitions or orders for winding-up still pending, filed or made in this or previous years, 27.

The settlement of the affairs of the companies wound up is shown by the following statement:—Total amount of debts due by the several companies, 223,794*l.*; calls upon 2,234 contributors, amounting to 58,117*l.*, of which the receipts for calls are stated at 7,169*l.*; gross produce of the estates and property of the several companies, 180,316*l.*; special charges and deductions for mortgages, liens, rent, taxes, &c., 74,662*l.*; monies received by the official liquidators for administration, including monies received for calls, 111,738*l.*; total expenses including solicitor's charges, courts per cent., remuneration to official liquidators, auctioneers, accountants, and messengers, 8,378*l.*; amount of dividends ordered, nine-tenths of which were to debenture holders as preferential creditors at 20*s.* in the *£*, 100,482*l.* Of the eleven orders made in the year for winding-up, nine cases appear to have been completed, the dividends in which were under 2*s.* 6*d.* in the pound in three cases; 2*s.* 6*d.* in the pound and under 5*s.* in four cases; and 20*s.* in the pound in the remaining two cases.

Insolvent Debtors' Courts.—In the year 1859, 2,765 petitions were filed in the cases of imprisoned debtors (23 of them by creditors); of these insolvents 93 were professional men; 26 officers of the army or navy; 88 clerks; 1,686 traders; 16 lodging-house keepers; 44 shopmen; 179 agents; 47 manufacturers; 176 mechanics; 88 graziers, farmers, millers, &c.; and 322 of other classes. There are no statistics to fall back upon to note how far the proceedings of the court have been subject to large fluctuations in the numbers of petitioners, or to judge of the causes from which they arise, but the comparison between the two first years of the statistics prove a decrease of nearly one-fifth (19·8 per cent.) The classification of the debts is a proof of the poverty of the insolvents; of more than one-half the total debt did not reach 500*l.* Under 100*l.*, 213; 100*l.* and under 300*l.*, 781; 300*l.* and under 500*l.*, 562; 500*l.* and under 1,000*l.*, 598; 1,000*l.* and under 3,000*l.*, 414; 3,000*l.* and under 5,000*l.*, 62; 5,000*l.* and above, 73. And their difficulties are further exhibited by their previous recourse to the court. Nearly one-fourth had previously been insolvent or bankrupt, 484 once, 118 twice, 35 thrice, and 14 above thrice.

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At this stage of the proceedings, the country petitions, that is those without the limits already described, were remitted for the determination of the county courts, the town petitions being determined by the insolvent court; the following are the results in both cases:—

Prisoners who appeared for hearing, 2,694; petitions dismissed on hearing, 133; adjudications for discharge, viz.—Forthwith, 2,104; at 2 years and above 1 year from vesting order, 19; at 1 year and above 6 months from vesting order, 67; at 6 months and above 3 months from vesting order, 194; at 3 months and above 2 months from vesting order, 74; at 2 months and above 1 month from vesting order, 51; at 1 month and under, 7; adjourned and have not appeared again, 45.

The ministerial duty of realizing and distributing the estates in the above cases belongs to the officers of the respective courts, but those realized in the county courts are returned to the court in London. The number of estates realized amount in the whole to 196, and the dividends declared thereon to 31,561*l.* 0*s.* 6*d.* The expenses of the administration, which are set forth in detail in the table, were 5,217*l.* 10*s.* 4*d.*, leaving 26,343*l.* 10*s.* 2*d.* for dividend upon scheduled debts amounting to 313,483*l.* 16*s.* 9*d.*, upon which 206,607*l.* 2*s.* 10*d.* was ascertained for dividend. Each estate realized averaged therefore 161*l.* 0*s.* 6*d.*; the expenses of the administration, including the attorneys' bills and the allowances to the insolvents, 26*l.* 12*s.* 5*d.*, and the amount for dividend 105*l.* 8*s.* 10*d.*

The dividends averaged 8*l.* 8*s.* per cent. on the amount of the scheduled debts, and 12*l.* 15*s.* per cent. on the amount ascertained for dividend, and were at the following rates in the pound in each case:—Under 1*s.*, 56; 1*s.* and under 2*s.* 6*d.*, 70; 2*s.* 6*d.* and under 5*s.*, 40; 5*s.* and under 10*s.*, 19; 10*s.* and under 15*s.*, 4; 15*s.* and under 20*s.*, —; 20*s.*, 7. In addition to these proceedings 36 cases are returned in which the debtors, whose scheduled debts amounted to 54,576*l.* 12*s.* 8*d.*, showed all to have been paid or released.

The Insolvent Debtors' Court and the County Courts have also jurisdiction under the Statutes 5 & 6 Vict. c. 116. and 7 & 8 Vict. c. 96., known as the Protection Acts. Under their provisions any trader whose debts are under 300*l.* is enabled, on filing a petition, having annexed a full schedule of his debts, and the amount of his property and monies owing to him, to obtain an order protecting him from arrest, and thereupon his property is vested in assignees, and is realized and distributed as in other cases of insolvency. The jurisdiction under these acts is exercised by the Insolvent Debtors' Court in all cases where the debtor resides within twenty miles from the General Post Office,—in all other cases by the county courts. In the year 1859 the total number of petitions under these acts were 2,820; of these 56 were by professional men; 14 by officers in the army or navy; 109 by clerks; 1,984 by traders; 30 by lodging-house keepers; 48 by agents; 33 by manufacturers; 120 by mechanics; 69 by graziers, farmers, millers, &c.; and 317 by other classes. The amount of their scheduled debts was—Under 100*l.*, 750; 100*l.* and under 300*l.*, 256; 300*l.* and under 500*l.*, 118; 500*l.* and under 1,000*l.*, 417; 1,000*l.* and under 3,000*l.*, 234; 3,000*l.* and under 5,000*l.*, 223; 5,000*l.* and above, 141. Compared with the proceedings under the Insolvent Acts these debts are of higher average, and the previous insolvencies and bankruptcies proportionately less; of those previously before the court there were 221 once; 27 twice; 7 thrice; and 2 above thrice.

Court of Chancery.—The Chief Clerks return the number and class of the proceedings originated in the chambers of the Master of the Rolls and the Vice-Chancellors, the orders made thereon, the large amount of the debts claimed and adjudicated upon, as well as of the accounts passed, and also the amount realized by the sale of estates.

Summonses to originate proceedings:—For the administration of estates, 332; under the Charitable Trusts Acts, 81; for appointment of guardians and maintenance of infants, 146; for other purposes, 91. Other summonses, 16,381. Orders made:—Of the class drawn up by the registrars, 6,772; of the class drawn up in chambers, 5,770; orders brought into chambers for prosecution (including 11 for winding up companies), 1,930. Debts claimed and adjudicated upon:—Number of debts, 4,020; amount of debts proved, 1,288,387*l*. Accounts passed (other than receivers' accounts):—Number of accounts, 1,271; receipts therein, 5,870,849*l*; disbursements and allowances therein, 5,428,985*l*. Receivers' accounts passed:—Number of accounts, 475; receipts therein, 1,124,306*l*; disbursements and allowances therein, 909,803*l*. Sales of estates under orders of court:—Number of sales, 490; amount realized, 1,745,840*l*. Purchase of estates under orders of court:—Number of purchases, 84. Number of contributories:—Included in list of contributories, 1,937; excluded from lists of contributories, 119. Orders for winding up companies:—Amount of calls made, 799,092*l*; total amount of fees levied by stamps, 11,401*l*.

The return by the registrars represents for each court the state of the business at the commencement of the year, the business set down, heard, and disposed of in the year, and the remanets at the end of the year, with the number of orders made and the amount of fees levied by stamps. The remanets at the end of the year 1859 exceed those at its commencement, but of the following large amount of business, which came before the court in the twelve months, 16·8 per cent. was the total which remained for disposal on their termination, and of this percentage a considerable proportion, (it is said about two-thirds,) was not then ready for disposal, as all causes and motions for decree do not come into the paper for hearing until after they have been set down one month, that sufficient time may be given to the parties to prepare for the hearing.

Number.	For Hearing at the com- mencement of the Year.	Set down during the Year.	Hear- d during the Year.	Otherwise disposed of.	Remanet at the end of the Year.
Pleas	1	5	5	—	1
Demurrers	7	33	30	3	7
Exceptions to pleadings ...	3	20	21	1	1
Motions for decree ...	164	805	720	77	172
Causes	88	347	303	33	99
Claims	9	65	51	11	12
Special Cases	13	42	45	1	9
Causes, claims, and causes and matters for further directions and further consideration	68	714	667	10	105
Rehearings and appeals ...	24	101	98	6	21
Appeal motions	5	73	62	3	13
Appeal petitions	—	21	21	—	—
Total	382	2,226	2,023	145	440

The cases "otherwise disposed of" were struck out, settled, abated for more than one year, or standing over generally.

The chief other business in the office of the registrars in addition to drawing up the decrees and orders in the above matters, is returned under the heads:—Orders made on the hearing of petitions (other than appeal petitions), 2,500; orders made on the hearing of special motions, 1,265; orders on summons, drawn up by the registrars, 5,679; orders on motions or petitions of course, 523; certificates for sale or transfer or delivery of stock or other securities, 2,925; amount of fees levied by stamps, 12,912*l*. The witnesses in proceedings in Chancery are not examined orally in courts. Their evidence is taken down by the examiners, and the return made by the examiners of the proceedings in their office supplies two facts only:—The number of witnesses examined, 456; the amount of fees levied by stamps, 233*l*.

The proceedings in the office of the Clerks of Records and Writs represent more particularly the number and class of the suits before each Court, they were:—Suits instituted—Bills or informations filed, 2,083; claims filed under general order of 1850, 76; special cases filed under Act 14 Vict., c. 35, 43; administration summonses filed, 327; other originating summonses filed, 318. The return then under each head of proceeding shows the number and nature of every document filed or issued, the total of which amounts to 70,050. The total of the fees collected by stamps in the office is 25,905*l*.

The return from the Lord Chancellor's principal secretary classes the petitions for hearing under these heads:—In causes, 803; the acts relating to railway and other public works, 317; the Trustee Acts of 1850, 227; the Trustee Relief Acts of 1847 and 1849, 245; leases and sales of settled estates under the Act of 1856, 44; the acts relating to charities, 19; the Joint Stock Companies Winding-up Acts, 20; the Infants Settlement Act, 1855, 10; other general matters, 126: total petitions, 1,811. Of these petitions, there were presented for hearing before the Lord Chancellor, 26; the Lords Justices (appeals), 114; the Vice-Chancellor Kindersley, 546; the Vice-Chancellor Stuart, 586; and Vice-Chancellor Wood, 539. The fees collected by stamps were 1,528*l*.

The similar return to the foregoing of the proceedings in the office of the Master of the Rolls shows the petitions set down for hearing before him to have been:—In causes, 378; in the acts relating to railways and other public works, 95; in the Trustee Acts, 84; in the Trustee Relief Acts, 88; in the leases and sales of settled estates acts, 24; in the acts relating to public charities, 13; in the Winding-up and Joint Stock Companies Acts, 2; in the Infants Settlement Act, 5; in other matters, 58: total, 747.

In addition, there are stated to have been 3,551 petitions presented for orders of course, and a similar number of orders upon them drawn up. The total of the fees collected by stamps was 2,199*l*.

The duties performed by the masters in lunacy are this year included in the returns under these heads:—Orders of inquiry in the nature of commissioners of lunacy executed, 69; reports made to the Lord Chancellor, 150; bonds and recognizances taken as security for lunatics' estates, 91; certificates as to such securities given, 91; certificates for payment of money or transfer of stock into court, investment of cash in court, &c., 138; other certificates, relating to deposit of deeds, wills, approval of leases, &c., 77; accounts and affidavits passed of committees and receivers of lunatics'

estates, 264 ; leases and other deeds settled and approved, 67 ; summonses issued on the above proceedings, 3,430. The reports (150) made to the Lord Chancellor relate to the property, kindred, and maintenance of the lunatics and of their families, the appointment of committees of their persons and estates, or the varying of such appointment, the granting of leases, and the necessary repair of the lunatic estates. The amount of the receipts in the accounts and affidavits of committees and receivers in lunacy passed during the year was 330,149*l.*, and the amount of the disbursements and allowances therein 286,098*l.*

The taxing masters' returns represent the business brought before them under the following heads:—General business—Orders and references for taxation, 2,908 ; bills taxed, 6,350 ; certificates and allocations made, 2,607. Taxations under 6 & 7 Vict. c. 75, and under the Lands Clauses Consolidation Act, 1845—Orders and references for taxation, 191 ; bills taxed, 355 ; certificates and allocations made, 123. Taxations in lunacy—Orders and references for taxation, 175 ; bills taxed, 300 ; certificates and allocations made, 152. Taxations under requests from officers of other courts—Orders and references for taxation, 83 ; bills taxed, 97 ; certificates and allocations made, 73. Total proceedings—Orders and references for taxation, 3,357 ; bills taxed, 7,102 ; certificates and allocations made, 2,955.

The total amount of costs taxed was 794,456*l.*, and of fees levied on the suitors 23,676*l.* The returns show that the business was equally divided between the officers of the seven masters.

The accounts of the court are returned by the accountant-general. The chief facts which they represent are the large amount of the cash securities and other effects paid and transferred:—Paid into court, cash, 8,577,896*l.* ; securities and effects, 6,737,337*l.* Paid out of court, cash, 8,222,155*l.* ; securities and effects, 5,962,880*l.* The total number of the accounts are 22,174. The amount of the fees collected by stamps, 737*l.* 8*s.* 3*d.*

The following statement of the suitors' fund and the suitors' fee fund is made from the annual account presented to Parliament by the accountant-general:—

Suitors' Fund : Balance of cash on 1st October, 1858, 20,406*l.* 19*s.* 8*d.* ; dividends of 3,904,989*l.* 19*s.* stock, 114,709*l.* 2*s.* ; rent of masters' offices let to commissioners of patents, 520*l.* : total income, 135,636*l.* 1*s.* 8*d.* Payments, 63,908*l.* 10*s.* 4*d.* ; carried over to suitors' fee fund, 51,825*l.* 6*d.* : total payments, 115,733*l.* 10*s.* 10*d.* Balance of cash on 1st October, 1859, 19,902*l.* 10*s.* 10*d.* Suitors' Fee Fund : Balance of cash on 24th November, 1858, 80,010*l.* 7*s.* 3*d.* ; cash brought from suitors' fund, 51,825*l.* 0*s.* 6*d.* ; dividends of 201,028*l.* 2*s.* 3*d.* stock purchased with surplus fees, 5,905*l.* 4*s.* ; brokerage, 4,646*l.* 1*s.* 3*d.* ; fees levied on the suitors, 97,984*l.* 4*s.* : total income, 240,370*l.* 17*s.* ; payments, 156,813*l.* 3*s.* 4*d.* Balance of cash on 24th November, 1859, 83,557*l.* 13*s.* 8*d.*

Lancashire Palatine Court.—The proceedings of the court of the County Palatine of Lancaster have been returned by the vice-chancellor for the duchy, so far as the circumstances would admit, under the same heads as the foregoing returns. They show—The number of suits and matters originated ; by bills, 76 ; by claim, 25 ; by summons, 16 ; by special case, petition, &c., 44 : total, 161. The number of interrogatories filed, 35 ; the number of answers and other defences, 38. The progress and disposal of the suits are stated thus:—Number of causes and original matters on motions for decrees, claim, special case or otherwise ; set down during the

year, 123; heard, 115; otherwise disposed of, 7; leaving a remanet of one only. The same with regard to causes and matters on motions for further directions, one case stood for hearing at the commencement of the year, 33 cases were set down, 33 heard, and one remained for hearing. The return also shows the number, decrees, and orders of each class, amounting together to 467, including 166 made by the registrar, and also the total debts proved, the sums realized by sale of estates, the taxed costs, and the stock and money paid into and out of court, with the fees received.

Divorce and Matrimonial Causes Court.—The statistics of last year represented the commencement of the proceedings in the newly-established court of divorce and matrimonial causes. The returns for 1859 record the proceedings of the court for the second year in the exercise of the jurisdiction transferred to it from the ecclesiastical courts in all suits and proceedings in matters matrimonial, except in respect to the grant of marriage licenses. Petitions filed:—In formâ pauperis, 3; for nullity of marriage, 2; for dissolution of marriage, 211; for judicial separation, 80; for restitution of conjugal rights, 9; for jactitation of marriage, ; for declaratory act, 1: total, 306. Applications for protection of property, 25. Petitions for alimony: pendente lite, 63; permanent, 3; citations issued, 423; appearances entered, 210; answers filed, 182; replies by petitioner, 93; replies by respondent, 13; motions, 521; summonses, 477. Causes tried before full court: on oral evidence, 139; on affidavit, 1. Causes tried before full court and jury, 17. Causes tried before the judge ordinary: on oral evidence, 46; on affidavit, 1; causes tried before the judge ordinary and jury, 7: total, 211. Judgments given: by the full court, 154; by the judge ordinary, 48. The returns do not show the state of the business before the court, but it may be estimated by the fact that in 1858 proceedings were commenced in 352 cases, and judgments given in 52 only, and that in 1859 proceedings were commenced in 306 cases, and judgments given in 202 cases.

Probate Court.—The proceedings of the Court of Probate, created by a statute of the same session as the foregoing court, are returned by the chief registrar for the principal registry, and the district registrar for each of the forty local registries. The proceedings of the court and of the principal registry in the year 1859 were:—Total number of probates granted, 8,009; administrations, 4,541; caveats, 892; appearances, 237; motions, 595; petitions, 11; causes, 439; trials by special jury, 12; trials by common jury, 15; causes heard by judge only, 29. Probates and administrations granted:—On hearing of causes, 54; on motion, 288; on summons, 7; causes in progress at the end of the year, 111; revocations of probate or administration, 35: total amount of fees in court and contentious business (estimated), 2,685*l*: total amount of taxed costs, 8,012*l*. In a note appended to the return it is stated, that of the above 439 causes, the majority were disposed of by motion in court; 81 by orders on summons, in which cases, seven excepted, probate or administration was granted by registrar's order. The district registrars, each within his district, have power to grant probate or administration in common form—that is where there is no contention to the grant, or upon the decision of the county court on any disputed question. The total of the business of the district registries in 1859 was:—Number granted in common form:—Probates, 13,874; letters of administration, 4,870. Number granted under direction of judge:—Probate, 19; letters of administration, 5. Number of caveats against grants of probate and letters

of administration, 288; number refused under direction of judge, . Number granted on decrees of county courts:—Probates, 1; letters of administration, 1; number recalled or varied on decrees of county courts, . Total amount of fees received, 53,521*l*. Amount of duty stamps for probate and administration, 452,563*l*.

Ecclesiastical Courts.—The Ecclesiastical Courts, which are for the first time included in these statistics, complete the record of the proceedings of every court falling within the scope of this work. The Acts of the 20 & 21 Vict., which established the Court of Divorce and Matrimonial Causes and the Court of Probate, transferred to those new courts all suits and proceedings in matrimonial matters and relating to the grant or revocation of Probate of Wills and Letters of Administration which formed so large a part of the jurisdiction of the Ecclesiastical Courts. The only courts of this class which now exercise judicial functions are the Arches Court for the Province of Canterbury and for the Province of York, and the Consistory Court for each diocese. The business of the Court of Faculties and the Court of Peculiars is ministerial only, not judicial, and is now also practically so in the lesser matters relating to church government in the Archidiaconal Courts. The Prerogative Court was abolished by statute, cap. 77, of the above year.

The judicial proceedings (excluding the ministerial business) of the Arches Courts and the Consistorial Courts in the year 1859 were:—Suits in matters of church rates, 15; pew-rights, 2; desecration of churchyard, 1; brawling, 1; disturbances in church or churchyard, 1; decreeing a monition, 1; licence, 1; collation to canonry, 2; suspension from office, 1; deprivation of benefice or curacy, 1; penalty for non-residence, 2; appeals, 1: total 29. The result of these suits was—that there were abandoned, 3; dismissed, 5; interlocutory decrees made, 2; agreed, 2; defendant decreed in contempt, 1; sentenced to deprivation, 1; forfeiture of penalty sued, 2; and still pending, 13.

The remaining proceedings before the courts were on suits for faculties, viz.:—For altering, restoring, or rebuilding churches, 73; for pew-seats, 4; for erecting a school, &c., in churchyard, 2; for consecration of a cemetery, 1; for tablets or gravestones, 4; for removing a body, 1: total, 85. Of these cases, in 79 faculties were decreed; in 1, refused; 4 were in progress; and in one case the petition for a faculty was withdrawn. The total amount of the court fees on all the above suits was 281*l*.

Admiralty Court.—The causes in 1859 were:—Of salvage there were pending at the commencement of the year, 31; instituted, 137; and the amount which entered, 153,430*l*. Of damage by collision there were pending at the commencement of the year, 71; instituted, 182; and the amount which entered, 223,985*l*. Of bottomry there were pending at the commencement of the year, 14; instituted, 46; and the amount which entered, 61,650*l*. Of actions for necessities supplied to foreign ships there were pending at the commencement of the year, 4; instituted, 46; and the amount which entered, 10,070*l*. Of towage there were pending at the commencement of the year, 0; instituted, 22; and the amount which entered, 3,700*l*. Of subtraction of wages there were pending at the commencement of the year, 29; instituted, 72; and the amount which entered, 27,600*l*. Of pilotage there were pending at the commencement of the year, 0; instituted, 12; and the amount which entered, 900*l*. Of actions to enforce bail for the safe return of ships there were pending at the com-

mencement of the year, 1; instituted, 15; and the amount which entered, 12,200*l*. Of possession there were pending at the commencement of the year, 2; instituted, 4; and the amount which entered, —. Total, pending at the commencement of the year, 152; instituted, 536; and the amount which entered, 503,535*l*.

The number of the decisions of the court, and the terms under which the judgments were made, were as follows:—Final judgments in contested causes: for plaintiff, 107; for defendant, 28: total, 135. Incidental decrees in contested causes, 17; decrees in “in *pœnam*” causes, 61: total, 213.

The court also determined 42 applications on opposed motions, and 118 on unopposed motions, viz.:—References to registrar and merchants—cases heard and reported on by registrar, 56; amount of sums claimed, 127,437*l*. 14*s*. 10*d*.; amount disallowed, 44,182*l*. 10*s*. 3*d*.; bills of costs taxed by the registrar, 210; taxations varied or altered by the court, 0. Costs in “in *pœnam*” causes, bills and charges submitted, 3,698*l*. 13*s*. 1*d*.; as taxed, 2,667*l*. 15*s*. 7*d*. Costs in contested causes, bills and charges submitted, plaintiff, 16,602*l*. 14*s*. 0*d*.; as taxed, 12,515*l*. 11*s*. 5*d*.; defendant, 3,585*l*. 8*s*. 8*d*.; as taxed, 2,531*l*. 9*s*. 2*d*. Number of instruments prepared in the registry—commissions for bail, 111; warrants, 448; *supersedeases*, 114; subpoenas, 41; monitions, commissions, and attachments, 110; number of acts or minutes of court, 3,867; office copies issued from the registry, 201; admiralty commissions enrolled, 5; letters patent issued from the registry, 38. The registrar returns the proceedings on claims in respect of merchant seamen volunteering into the royal navy, the number and amount of the claims and the awards, and further renders an account of the naval prize business, including the proceedings of slave vessels and tonnage bounties, the rewards for salvage services, and the bounties for the capture and destruction of pirates and proceeds of piratical vessels. To this is appended an account of the receipts and payments of suitors’ and other monies during the year. The proceedings of the marshal in executing the process of the court are given with full detail. In amount they were—Instruments executed, warrants, monitions, attachments, subpoenas, &c., 161; arrests made of ships, cargoes, freight, &c., 242; appraisements of ships and cargoes, 14; sales of ships and cargoes, 10; cargoes released, &c., 176; reports as to sufficiency of sureties, 206; amount of bail reported, 207,483*l*.; proceeds of ships and cargoes sold paid into registry, 5,585.

Judicial Committee.—The total number of appeals entered in 1859 before Her Majesty in Council was 59, of which seven were dismissed for non-prosecution, and 32 heard and determined. Of these cases judgment was affirmed in 16, and reversed in 16. The total amount of the Council office fees on appeals was 626*l*. 19*s*. 6*d*., the amount of costs taxed 11,348*l*. Sixty-six appeals remained for hearing at the end of the year.

House of Lords.—The judicial proceedings of the House of Lords in 1859 consisted of the following appeals and causes in error presented—From the Court of Chancery—England, 20; Ireland, 5. From the Court of Exchequer Chamber—England, 9; Ireland, 1. From the Court of Session, Scotland, 25. From the Court of Probate—England, 1; Ireland, —. From the Court of Divorce and Matrimonial Causes, 2: total, 63. In the disposal of these appeals 18 were dismissed for want of prosecution and incompetency, and 36 heard. Of the cases heard 20 were affirmed simply, 4 affirmed with declarations, 3 reversed simply, and 6 reversed with declarations. Forty-nine causes remained for hearing. The total amount of the fees was 2,023*l*.

ACTS OF PARLIAMENT.

"Copy of the Terms of the Arrangement under which the Queen's Printer now prints Acts of Parliament for the Public." (Mr. Black.) 18th April, 1860. (249.)

I. The printing of Acts of Parliament is now conducted under a Treasury Minute, dated the 19th December last, of which the following is a copy :

1. That all printing for her Majesty, meaning by that phrase the printing of Acts of Parliament and of Proclamations, but excluding Bibles and Prayer Books, be continued to Messrs. Eyre & Spottiswoode for an indefinite period, but with and under the condition that it may at any time be taken from them and otherwise disposed of, on twelve months' notice to that effect being given to them by the Secretary of State for the Home Department, or the Lords of her Majesty's treasury for the time being.

2. That Messrs. Eyre & Spottiswoode shall be allowed to charge for all printers' work executed by them the prices for book-work printing specified in the schedule of prices annexed to this minute (being that on which their late contract with the Stationery Office was founded), with twenty-five per cent. thereon. Thus, for printing a sheet or four pages of post folio Acts, same as that attached to this minute :—Composition, 12s. 6d. ; press-work, 3s. 1½d. ; total, 15s. 7½d. Corrections to be charged at the rate of 7½d. per hour per man. And for printing in quarto and octavo, conformably to the specimens attached to this minute, there shall be allowed :—Composition, quarto, eight pages, 1l. 15s. ; octavo, sixteen pages, 2l. Press-work, quarto, eight pages, 4s. 0½d. ; octavo, sixteen pages, the same. Total, quarto, eight pages, 1l. 19s. 0½d. ; octavo, sixteen pages, 2l. 4s. 0½d. Corrections, 7½d. per hour per man. Paper in all cases to be furnished by the Stationery Office.

3. That so long as Messrs. Eyre & Spottiswoode are permitted to continue, as they have hitherto done, to arrange and edit the Acts, and to address and send off the same to their destination, a sum of 500l. a year shall be allowed them for their trouble ; but no other allowances to be made to them on account of land tax, or anything else.

4. That Messrs. Eyre & Spottiswoode shall continue to sell and supply Acts to the public as at present, the maximum price of the same not to exceed 4d. per sheet ; but they shall be bound to supply paper and press-work at their own cost for all the Acts they may print beyond those required for promulgation and official use.

II. Two editions of the acts are at present printed, one in pott folio, and one in quarto. It is not possible to state, till after the termination of the session, the number of copies that will be printed of either the folio or quarto Acts ; the number of some of them required for the public service being very extensive, while that of those of others is comparatively trifling. And it is consequently impossible to tell, previously to such termination of the session, what the cost of the Acts issued to the different public departments, and under the promulgation order, will amount to ; but it is not supposed that it will amount to a half of what it did amount to under the previous system.

III. Acts are supplied to the public (*ex* those required for official use and the promulgation list) by the printers as formerly ; the maximum price of such Acts having been reduced from 6d. to 4d. per sheet.

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MILITARY PRISONS.

Report on the Discipline and Management of the Military Prisons.

THE military prisons in operation in 1858, 1859, and 1860 were as follows—19, of which 10 were in the United Kingdom and 9 at different foreign stations, the whole being capable of accommodating about 1,800 prisoners. In 1859 military prison at Montreal was abandoned. The total number of prisoners admitted in 1858 was 6,488, being 5·97 per cent. of the force; in 1859, 6,348, or 6·4 per cent.; and in 1860, 6,719, or 4·08 per cent. The daily average number of prisoners in confinement throughout the year was, in 1858, 931, or 0·86 per cent. of the force; in 1859, 837, or 0·79 per cent.; and in 1860, 1,101, or 0·67 per cent. The average length of sentences was 53 days in 1858, 48 days in 1859, and 60 days in 1860. Of the 6,488 prisoners in 1858, 1,534 were under 20 years of age, 4,464 from 20 to 30, 463 from 30 to 40, and 27 above 40; in 1859, of 6,348 prisoners, 1,393 were under 20 years of age, 4,470 from 20 to 30, 457 from 30 to 40, and 28 above 40; in 1860, of 6,719 prisoners, 1,095 were under 20 years of age, 5,074 from 20 to 30, 522 from 30 to 40, and 28 above 40. In 1858, 3,727 prisoners had 2 years' service and under, 2,226 under 7 years' service, 370 from 7 to 14 years', 158 from 14 to 21, and 7 above 21 years' service; in 1859 4,154 had 2 years' service and under, 1,710 under 7 years', 335 from 7 to 14, 137 from 14 to 21, and 12 above 21 years' service; in 1860, 3,524 had 2 years' service and under, 2,627 under 7 years', 398 from 7 to 14, 153 from 14 to 21, and 17 above 21 years' service. In 1858, 3,944 were English, 592 Scotch, and 1,952 Irish; in 1859, 3,805 were English, 516 Scotch, and 2,027 Irish; in 1860, 3,927 English, 490 Scotch, and 2,302 Irish. In 1858, 3,925 were Protestant, 462 Presbyterians, and 2,101 Roman Catholics; in 1859, 3,790 were Protestant, 390 Presbyterians, and 2,168 Roman Catholics; in 1860, 3,892 were Protestant, 435 Presbyterians, and 2,392 Roman Catholics. The average force in 1858 was 100,169; in 1859, 109,248; in 1860, 105,157. The crimes committed were as follows:—In 1858, 3,100 soldiers were guilty of desertion, being 3·09 per cent. of the force; in 1859, 2,774, or 2·774 per cent.; in 1860, 2,799, or 2·799 per cent. In 1858, 1,411 were guilty of absence without leave, or 1·41 per cent.; in 1859, 1,426, or 1·36 per cent.; in 1860, 1,566, or 1·49 per cent. In 1858, 529 were guilty of drunkenness, or 0·53 per cent.; in 1859, 636, or 0·61 per cent.; and in 1860, 779, or 0·75 per cent. In 1858, 245 were guilty of disgraceful conduct, or 0·25 per cent.; in 1859, 251, or 0·24 per cent.; in 1860, 206, or 0·19 per cent. Of other crimes, 1,203 were guilty in 1858, or 1·21 per cent.; 1,261 in 1859, or 1·19 per cent.; and in 1860, 1,369, or 1·31 per cent. The total charge for pay and allowances of prison officers, and for the subsistence and washing of the prisoners, was, in 1858, 18,125*l*; in 1859, 19,849*l*; and in 1860, 21,624*l*. But the full pay and beer money of the prisoners in confinement not issued amounted, in 1858, to 19,577*l*; in 1859, to 21,959*l*; and in 1860, to 23,225*l*. Drunkenness is perhaps the most fertile source of military crime, and the number of committals for this offence has increased in the years 1859 and 1860. In England the percentage of committals to the force, in 1858, was 0·49 per cent.; in 1859, 0·53; in 1860, 0·74 per cent. In Scotland, in 1858, 0·13 per cent.; in 1859, 0·56; and in 1860, 0·34 per cent. In Ireland, in 1858, 0·69; in 1859, 0·84; and in 1860, 0·84 per cent.

CHRISTIANS IN TURKEY.

Reports received from her Majesty's Consuls relating to the condition of Christians in Turkey.

On the 11th June, 1860, Sir H. Bulwer sent a circular to her Majesty's Consuls in the Ottoman dominions, asking the following questions on the condition of the Christians. He asked them to state fairly where they thought the general condition of the country behind that which should have been attained; in what the principal evils complained of consisted; by what practical means they can be remedied; how far the condition of the Rayah population, since the edict of Gulhané and the Hatti-humayoum of April, 1856, have been promulgated, has improved; and in what points they considered that the intention of the Sultan, as expressed in these instruments, can be carried out more fully with safety and advantage:—

1. What is the general condition of the province over which your jurisdiction extends?
2. What is the relative population, Christian and Mussulman, as far as your information enables you to pass an opinion, within the said province?
3. What is, generally speaking, apart from religion, the occupation and position in life of the Christians on the one hand, and of the Mussulmans on the other; for instance, are the great bulk of proprietors in the country Mussulmans? Are the majority of persons engaged in trade in the towns Christians?
4. Can Christians hold landed property on equal condition with Turks; and if not, where is the difference?
5. Can Christians exercise trade in towns on equal terms with the Turks; and if not, where is the difference?
6. Are the Christian peasantry in the Christian villages as well off generally as the Mussulmans; and if not, where is the difference?
7. Is Christian evidence admitted in courts of justice; and if not, point out the cases where it has been refused?
8. Is the Christian population, on the whole, better off, more considered, and better treated, than it was five, ten, fifteen, twenty years ago?
9. Are there any inequalities dependent on religion now, and if so, what are those inequalities?
10. Would the Christian population like to enter the military service instead of paying the tax which procures them exemption; and which would they gain most by—serving in the army, or paying the said tax?
11. Do Christians find any difficulty in constructing churches, or in following their religious observances?
12. When cases of oppression against the Christians take place, is this generally owing to the acts of the Government, or the fanaticism of the population?
13. When Protestants are, if ever, persecuted, does that persecution proceed from Mussulmans, or from Christians, or other sects?
14. Are many of the grievances of which the Christian population complain owing to the conduct of their own authorities?
15. Are Christians admitted into the Medjlis or Local Councils? Are these Councils generally more in favour of progress and good government than the officials of the Porte, or more unfavourable?
16. If the latter, would there be any practical mode that occurs to you of limiting their attributes, so as still to maintain their power where it is useful, and abridge or suppress it where it is not?
17. What is your opinion as to withdrawing from the said Medjlis their judicial functions, and creating tribunals apart from them; and in such case, how would you have those tribunals composed?
18. Do the Mahometans evince a strong desire to make converts? Do they do so frequently, or ever, by compulsion? If so, point out, if you can, the guilty parties.
19. In the case of the conversion of females, is this generally the effect of religious enthusiasm on the one side or the other, or does it proceed from worldly causes? And, if the latter, state those causes.
20. What measures do you think would best attain the end of equal justice, with the most simple and least expensive forms?
21. What measures do you think could best be taken to improve generally the condition of the country?
22. What is your opinion as to the possibility of establishing schools for all religions and classes, and as to the effect that would be produced by those schools?

23. What is your opinion as to naming a Christian Vice-Governor by the side of the Turkish Governor, where a great part of the population is Christian; the one and the other corresponding with the Porte?

24. Is it become a custom for subjects of the Porte to get foreign passports? Do they frequently get passports from Greece, and exchange them for Russian passports?

In answer to these questions, the following reports were received :—

The British Consul Abbott, of Monastir, stated, that notwithstanding all the privileges and advantages which may be granted to the Christians, these, although apparently satisfied at first, will never desist from complaining eventually of the Turkish yoke, and making their complaints reach the ear of the European powers. The general condition of this province was not so good as might be expected. The Mussulmans form the great bulk of the proprietors in the country, and the Christians form the great majority of persons engaged in trade in towns. A custom prevails at Monastir to exempt from military conscription a Mussulman young man who elopes with a Christian girl, and whom he converts to his faith.

Mr. Calvert, British Consul of Salonica, answered, that the condition of the province of Salonica, inclusive of Triceala (Thessaly), was not generally satisfactory. The causes are manifold, and were summed up as follows:—

Insecurity to life and property in the rural districts. The vexatious exactions of the farmers of the public revenue. The non-development of the natural resources of the industrial arts and agriculture, and consequent languor of the export trade, which, with the exception of a few articles, has made but little progress. The practice of either devoting capital to loans at high rates of interest, instead of investing it in the improvement of the resources of the country, or else hoarding it. The discouragement which peasants feel to cultivate more land than is absolutely requisite to enable them to provide their own necessities out of their share of their crop; of this, whatever remains over is hoarded and concealed. The want of properly-constituted tribunals, and the imperfect execution of the Sultan's ordinances. The absence of facilities for transport of travellers and merchandize. The pervading feeling of uneasiness and anxiety as to the future. To which may be added the mistrust and jealousy with which the dominated and dominating races regard each other, together with a common want of confidence in, and affection for, the Sultan's Government; the one class considering that too much has been conceded to the Christians, and the other that not enough has been done for them.

The British Consul of Belgrade reported the result of a conversation he had with the Grand Vizier, at Widdin, which turned principally upon three grievances made by the Christians, viz., the refusal of the local authorities to allow Christians to put up church bells, the arbitrary interference with the affairs of the community in questions of inheritance and the administration of the property of minors, and the silencing of the Christians who are members of the Municipal Council. The Grand Vizier agreed with the Consul as to the general policy, and the British Consul, Mr. Longworth, concluded as follows:—

It was gratifying, therefore, to find that the Grand Vizier took the same view of the matter; and what is more, he promised me he would do his best to enforce it. His Highness, moreover, agreed in the opinion I expressed that this and the question of Christian evidence are the two main points to which, as sources of bitter feeling and discussion, the attention of the Porte should now be directed. As to eradicating, by any summary process, mere religious antipathies, which were mutual between the Turks and Christians, the only difference being that the Turks, as masters, had been under greater temptation to display them, the task was, he said, hopeless; all that could be done was to deal with their effects in the shape of overt acts. It was, at the same time, a great mistake to suppose that the oppression complained of had been systematic or uniform. The contrary, indeed, was the case. The result of the Ottoman conquest had been to establish the supremacy of one people over another, while the Government had, from the democratic tendencies of Islamism, been much more popular in its essence than was generally imagined. It was a fact, which did honour to the Turks, that, living in juxtaposition with conquered races, they had discovered a degree of toleration and forbearance to which, considering they were uncontrolled, history could not furnish a parallel.

Their hand, it is true, had been heavier on the Christians in some parts of the empire than it had been in others; and this when a rude, popular authority was exercised, was to have been expected as the natural consequence of different circumstances in different provinces. In Bulgaria and on the Danube, where the Turks garrisoned the fortresses and occupied, in force, the considerable towns, the pressure on the Rayahs might have been greater in their immediate neighbourhood; but they were comparatively unmolested in the distant villages of the plains and the Balkans. In Albania the instincts of race are stronger than the prejudices of religion; and it was remarkable that though Christians of a race, in their estimation, inferior, such as the Bulgarians, who live among them, are treated with harshness and contumely, Christians of Albanian blood are allowed to wear their arms, and are independent almost as themselves. The province in which Christians have had most reason to complain was Bosnia; the question is, there, one of noble and serf, of a privileged and unprivileged class, precisely analogous to that which now occupies the Russian Government. But in Bosnia the question of privilege was complicated by religious considerations, the nobles having, at a former period, embraced Mahometanism to preserve their estates, which were thus conditionally assured to them. Each of the other provinces had passed through its peculiar ordeal, and a separate inquiry into the past and present condition of each would tend entirely to disprove the charge of systematic oppression. It was, in truth, the absence of anything like system or uniformity that rendered it difficult for the Porte to adopt any general régime for the amelioration of the condition of the Christians.

Consul Finn, of Jerusalem, stated that—

In point of regular orderly government, and of development of resources and of internal communication, this province is far behind most, if not all, European countries, and, as far as I can learn, behind Egypt, though the rural population is more powerful and richer than that of Egypt. The east and south borders are infested by Bedouins. These lawless people are encroaching more of late, but are great cowards, and could be easily repressed. Palestine is seriously underpopulated, and consequently large tracts lie waste. Over the whole province the Mussulmans are in great majority, and in the important towns, Nablous, Safed, Hebron, and Gaza, they are dominant, and have everything in their own hands; while in Jerusalem, the Mussulman members do not very largely exceed that of the Christians, and the Jews almost equal them both together. In the important villages of Nazareth, Bethlehem, and Bait Jala, the Christians are by far in majority. In the seaports of Caiffa the Europeans, and the native Christians together, are considerable in number. In Tiberias nearly all are Jews; but in Acre and Saida Mussulmans predominate. Thus the numerical and even the moral weight is decidedly in favour of the Mussulmans, who hold the strong posts of Jerusalem, Acre, Nablous, Hebron, and Gaza; while in places of religious interest, as Jerusalem, Bethlehem, and Nazareth, the Christians have a strong footing and influence by means of their high ecclesiastics and the large fluctuating population of European pilgrims, also the feeling of influence of European nations.

The Christians are generally dealers in merchandize of both local and foreign goods, but the principal native exporters and merchants are Moslems. The supply of the absolute necessities of life, such as corn, meat, charcoal, is chiefly in the hands of Mussulmans, occupants of towns, on account of their connection with the agricultural population, which is chiefly Mussulman. Artizans of the better kind are all Jews or Christians. The bulk of landed and house property is in the hands of Mussulmans throughout the province; although, in the city of Jerusalem, the Greek convent, i.e., ecclesiastics, dispensers of their treasury, are proprietors to a large extent, also, of cultivable land around the city. Their acquisitions are being actively increased. In Bethlehem and Bait Jala most of the houses and cultivable land are in the hands of Christians. Native Christians are precisely on equal terms with Mussulmans in regard to the tenure of landed property, though in acquiring it they are exposed to pecuniary and other annoyances to which a Moslem would not be exposed. Difficulties are put in the way of Christians exercising some trades which have been of old time in the hands of the Moslems. There is far more activity and enterprize among Christian than among Mussulman peasants, and the fruit is seen in their improved houses, dresses, and food. In the Mehkemeh, or Cadi's Court, non-Mussulman evidence is always refused. In the various Medjlises some subterfuge is always sought for declining to receive non-Mussulman evidence against a Mussulman, or recording it under the technical name of witness. These Courts and the Pasha will rather condemn at once a Mussulman in favour of a Christian, without recording testimony, than accept non-Moslem evidence. Evidence of Christian against Christian or Jew, or *vice versa*—i.e., non-Moslem against non-Moslem—is always received.

The Consul of Smyrna reported as follows:—

Notwithstanding the very imperfect and faulty system of administration, the onerous abuses in the collection, by the farmers, of the tithes, the general condition of the province is daily improving; an improvement, however, which is more generally to the advantage of the Christians than of the Moslems, who are, if I may be excused the expression, buying up the Turks. The

general improvement commenced with the reforms introduced by the Gulhané Hattî-Sherif, previous to which the large Turkish proprietors in the interior lived by a system of oppression and plunder, which was put a stop to by the Hatt. The Christians then came forward as cultivators; their numbers increased by new-comers, for their lives were no longer at the mercy of every petty authority; the Turkish proprietors began to fall off; population visibly decreased; their lands were no longer profitable. All Turkish proprietors have to furnish their quota for the conscription, and many, very many, of the descendants of formerly large landed proprietors, after serving their time with the army, return home to find the whole feature of their native place changed: the predominant Turkish population replaced by Christians; their heritage uncultivated lands; and they themselves without either the means or taste for the avocations of their youth, and to which they were accustomed previously to their entering the army; and if, by chance, any of them desire to resume their former agricultural pursuits, they usually fall into the meshes of some Christian usurious banker, to whom the whole property or estate is soon sacrificed. They who return without any taste for their old pursuits, dispose of their property for what they can get, and the purchasers are either Armenians or Greeks. Several estates, under these circumstances, have been purchased by Franks. Amongst the latter there are seven British subjects, who have purchased large farms in the interior, and are cultivating them with success. In the more immediate vicinity of Smyrna, very few Turkish landed proprietors remain; and at the principal villages where the Frank and Christian population resort during summer, nearly all the Turkish proprietors have disposed of their property. The result of this change is a very extensive increase in the amount of the productions of the country. With respect to the moral state of the province, it may with safety be asserted that there is less crime than is heard of in provinces of the same extension in more civilized countries where an effective state of police is kept up; and this is the more extraordinary when the police system is so very defective, where there are so many religious sects, where fanaticism is so prevalent amongst all classes, and the population generally armed, although they are not allowed to wear them in the towns. In 1830 the Turkish population of Smyrna was 80,000; it is now estimated at 41,000. In 1830 the Greek population in Smyrna was 20,000; it is now 75,000; Armenians, 6,000; Jews, 12,500; Latin Rayahs, 3,700; Foreign subjects, 19,000 (the authorities assert that the population of Smyrna is one-third male and two-thirds female); districts belonging more immediately to Smyrna, 170,000 (said to be two-thirds Mussulman and one-third Greeks); province of Aidin, 280,000 (town of Aidin 30,000); Denizli and dependencies, 50,000; Mentaaha and dependencies, 75,000; Magnesia and dependencies, 150,000; migratory population, Yourouks, Gipsies, and Zeibecks, 110,000; total, 991,700. There are no inequalities dependent on religion. It does occasionally occur that some old fanatical Turk will call a Christian a *Giaour*; but, generally speaking, the term is never used. Generally speaking, the Christian population have far more reason to complain of grievances emanating from their own clergy and primates than from the Turks.

The Consul of Therapia said that for a long time the province had been a prey to brigandage; this evil, originating from a mountain population unsubdued and eminently warlike and mercenary, had more sway in the plains. But it might be said that its development had been rather arrested than promoted. Christian churches and monasteries, towns and inhabitants, were not pillaged, massacred, and burnt, by Albanian hordes, as used to be done ten years ago. The Mussulman element prevails at Therapia as almost two to one over the Christian. The great bulk of proprietors in the country are Mussulmans, and the majority of persons engaged in trade in the towns Christians. Christians are admitted into the *Medjlis*, but generally as a mere matter of form. They are not allowed to take a prominent part in public affairs, and are treated disrespectfully.

Consul Cathcart, of Prevesa, reported:—

From all I have seen or heard of the complaints of the Christians of this province, I am bound to say that I believe no real oppression, systematically carried on, exists. There are crimes, as in all countries, and, from the maladministration of officials, whether Christians or Turks, culprits often escape punishment; but that the Sultan's Government deliberately apply themselves, on all occasions, to obstruct justice, and to harass and maltreat the Christians, I deny. One of the great evils which all Turkish officials have to contend with, is the private influence brought to bear upon them; and the consular interferences are more irritating and more galling to their pride than perhaps any others, being more difficult to resist, and so frequently occurring from a love of influence and a vanity of official meddling in what frequently does not concern them in any way; and the lower in rank the agent, the more disagreeable he usually makes himself to the authorities, who are often thereby indis-

posed to proceed quickly in questions in which they would otherwise come to a decision at once. It occurs, no doubt, that personal friendship or money-bribes occasionally stand in the way of a fair administration of justice, but a reorganization of the tribunals (Medjlis), as recommended, will assist to purge this evil. That the edict of Gulhané and the Hattî-humayoun have gradually improved the whole state of the province, requires no demonstration. They have given the Christians their present position, who, instead of being trodden down as they were twenty years (or less) ago, now are almost secure from molestation, and loudly assert their rights: but, not having abated a particle of their old antipathy to the Ottoman Government, they magnify everything in the shape of restraint, and any quarrel or disputed question with a Turk (if decided against them) is termed an "oppression;" while their own conduct, as far as my experience goes, shows them to be often capable of the very crimes they impute to the Turks, who, I think, stand far higher in honesty and general morality than the majority of the accusers. I believe it will be found that the complaints which are to be presented to the Vizier in this province will bear quite as much on the rapacity and tyranny of the Greek clergy as on the Turkish oppression, and I understand that the higher class of Christians intend to confine themselves to demanding the full execution of the Hattî-humayoun, not being able to bring forward many specific charges against officials. There is certainly very little fanatical feeling in general on the part of Moslems and Christians towards each other in this province; they even, in certain parts, intermarry, and live on very good terms, each keeping their several fasts and feasts: probably the little bigotry which exists is owing to the independent position of the warlike Christian tribes, and the fact, also, previously mentioned, of most of the Mussulman rural population being the descendants of Christians. The Latin Christians of the north, however, and the Greeks of Epirus, hate each other with all the virulence of sectarians. Blood feuds still prevail, to a great extent, in Northern Albania, especially in Ghegheria, where the population have never been even partially disarmed, and the privilege is, I believe, granted to them, as they have not, of late years, taken part in the many Greco-Albanian insurrections; added to which, they have to guard themselves against the Montenegrins, who continually harass their frontier, robbing, killing, cutting off heads, noses, and ears, and committing at this day all the atrocities charged against the Turks of old. In these countries quarrels have been handed down for centuries in the families of the chiefs and their followers, but in Epirus private vengeance is much more rare. All through Albania the feudal power of the Beys is fast disappearing, the heavy blows dealt to them by Ali Pacha, who absorbed nearly all their districts, and the different insurrections they have taken part in since then (after being restored, from political motives, by the Porte on the fall of that tyrant) and which were most ruthlessly put down by wholesale massacres and confiscations, has, joined with the gradual improvement of the country since the measures of reform were introduced by Sultan Mahomed, sapped their strength; and many of their properties, particularly of the minor chiefs, are fast passing, through their own imprudence, into the hands of the Christians; but still a very long time will elapse before they lose all influence. Nowhere is antiquity of descent more venerated than in Albania, and a race of educated and enlightened Beys would have it in their power to effect great improvements in the province from the effect of their personal influence and example. Education among the Mussulmans of the province is usually of the simplest kind, and they are far outstripped by the Greek race, who have established large schools at Janina, and in which some of the most celebrated learned men of modern Greece have taught as professors. The most important of these establishments have been formed by the generosity of private individuals, and date from many years back, the celebrated brothers Zozimas having alone contributed sums which are estimated to produce nearly 10,000*l.* a year for the support of different gymnasiums; but from maladministration, as well as from the creation of the universities of Corfu, and, later, of Athens, they have greatly fallen off, and now only two or three very indifferent schools are supported out of this munificent sum, which is under the control of the Archbishop of Janina and other trustees. Although, nominally, the Christians are equal before the law, yet, practically, and in spite of the very large toleration extended, such equality cannot be said entirely to exist. A principal grievance with the Christians is, that although they contribute a large share of the taxes, they fill scarcely any places whatever under the Government—these being almost exclusively reserved for Mussulmans. The largest religious toleration prevails, all sects managing, absolutely and without interference from the Porte, their own internal affairs. There is, however, one point only which the Porte has not hitherto yielded to the repeated solicitations, and that is, the use of bells in belfrys in places of Christian worship. Although, in some cases, the use of bells is permitted, yet there exists a strong feeling against such a symbol, if I may so term it, being freely allowed to all Christian churches; and where they are permitted to be used, they are generally placed so as not to be at all conspicuous. I consider that a permission to erect campaniles and to use bells would be most gratefully received by the Christians, and would remove what they feel as a most galling mark of inferiority of rights, as well as a tacit insult to their faith.

Consul Skene, of Aleppo, stated:—

The state of the Mussulman population of this consular district is different from that

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existing in other provinces of the Ottoman Empire which are more in contact with European ideas. Here the dominant race is still what it was three or four centuries ago, proud and intolerant. It is not a mongrel produced by the inroad of Frank trade and the ingrafting of a so-called civilization on the old Mahometan stock. Commerce with Great Britain, Austria, France, and Switzerland, has been introduced to a considerable extent, but it remains a separate element, and exercises but little influence on the Mussulman mind. The descendant of the Arab grandee, as of his Turkish conqueror, lives unconscious of the encroachment of foreign enterprise and blind to the rise of Christian supremacy. The glorious traditions of the two great factions, which once divided Turkish society, and have now fallen into oblivion elsewhere, are still fresh at Aleppo. The affiliation of the Janissaries has never been eradicated here, and they meet in secret to keep alive the memory of their past preponderance. The green-turbaned Sherrefs claim, as of old, and receive, the veneration of the people, for their descent from the Prophet. It is in vain that one talks to them of the altered circumstances of Islam, which are incredible to them. Vegetating in their narrow circle of contemptuous exclusiveness, they are animated only by personal and party rivalries. Their religion of pride cannot admit that a religion of humility is compatible with power abroad or prosperity at home. What they hear of Christendom is, therefore, regarded by them as an idle tale. The condition of the Mussulman population of this northern capital of Syria is thus a remnant of what Turkey has been rather than an example of what she is. The Christians of Aleppo are a keen, money-making people, clever in trade, miserly at home, abject without support, and insolent when unduly protected. The great mass of them live in a state of chronic terror. This was merely a reflex of what they suffered in the massacre of 1850, and their panic is now enhanced by the disasters of Mount Lebanon and Damascus. The measures adopted to prevent an outbreak have hitherto been successful, and, if they continue so, it will be a source of no small satisfaction to me, having been called upon to co-operate in them with the competent authorities. All the proprietors in the country are Mussulmans. Almost all the traders in the towns are Christians. Oppression cannot now be carried on as openly as formerly; but it must not be supposed that, because the Government *employs* do not generally appear as the oppressors, the Christians are well treated and protected. A certain impunity, for which the Government must be rendered responsible, is allowed to the Mussulmans. This impunity, while it does not extend to permitting the Christians to be treated as they formerly were treated, is so far unbearable and unjust in that it permits the Mussulmans to despoil them with heavy exactions. False imprisonments are of daily occurrence. A Christian has but a small chance of exculpating himself when his opponent is a Mussulman. Christian evidence, as a rule, is still refused. Christians are permitted by law to possess landed property, but the difficulties opposed to their acquiring are so great that few have as yet dared to face them. As far as the mere purchase goes, no difficulties are made—a Christian can buy and take possession; it is when he has got his land into order, or when the Mussulman who has sold has overcome the pecuniary difficulties which compelled him to sell, that the Christian feels the helplessness of his position and the insincerity of the Government. Steps are then taken by the original proprietor, or some relative of his, to reclaim the land from the Christian, generally on one of the following pleas: that the original owner, not being sole proprietor, had no right to sell; that the ground being "meraah," or grazing-ground, could not be sold; that the deeds of transfer being defective, the sale had not been legally made. Under one or other of these pleas the Christian is, in nineteen cases out of twenty, dispossessed, and he may then deem himself fortunate if he gets back the price he gave. Few, a very few, have been able to obtain justice; but I must say that the majority of these owe their good fortune not to the justice of their cause, but to the influence of some powerful Mussulman.

Consul Longworth, of Belgrade, sent a report from Mr. Beckett, on the province of Nisch, which presented a strong and truthful picture of the misrule prevailing in a Turkish province which was worse administered than any that had yet fallen under his observation; but the most important inference to be drawn from it is, that even amidst the worst administrative abuses, no single circumstance can be elicited which can serve in the slightest way as a justification of the charges brought forward as to oppression of the Christians.

Consul-General Moore, of Beyrout, reported that the Christian population greatly exceeded the Mussulman and Druses in Beyrout and Mount Lebanon:—

Christian evidence is admitted into the mixed tribunals (those composed of Christian and Mussulman members), but not in the purely Turkish Court called the *Mehkemeh*, or in the Grand *Medjlis* of the *Eyalet* when it is presided over by the *Cadi*, and where the law may be administered according to the *Shará* (Mahometan ecclesiastical law). In case of murder, for instance, when the murderer is a Moslem, that presidency and that law are resorted to, and

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Christian evidence would be rejected. No such case having occurred for many years, I am unable to furnish instances. Petty criminal cases are tried at the *Medjlis Tahkik* (Court of Verification), and civil suits at the commercial courts, both mixed tribunals where Christian evidence is accepted. The inequalities dependent on religion now are the non-admission of Christians to superior public offices and to the army, and the non-acceptance of Christian evidence. What the Christians have to complain of is by no means so much any inequalities or burdens sanctioned by law, as abuses of power on the part of the authorities, springing either from fanaticism or sectarian partiality.

Consul Holmes, of Bosna Serai, stated that the chief cause of discontent throughout the empire was the general conduct of the subordinate officers of the Porte, civil and military. Great reforms were necessary. Taxation was unequal. The relations between the proprietor of land and his tenants require adjustment, and the titles to land should be fairly examined.

Consul Abbott, of the Dardanelles, reported that there had been a marked change for the better since the promulgation of the edict of Gulhané, the provisions of which have been gradually introduced. The Christians think that their Turkish rulers are incorrigible, that good government is impracticable under the domination of the Ottoman race, and that every Turk hates civilization, even though to outward appearance his manners are polished and his ideas enlightened. But, in reality, the Rayah population of the provinces have no more cause of complaint than their Mussulman fellow-subjects. Their grievances are identical with the distinction, however, that the local authorities show more consideration and favour to Turks than to Rayahs.

The Consul stated as a grievance—

That no definite code for the guidance of the judicial authorities in the discharge of their functions, except a few general and incomplete instructions which tend frequently to create embarrassment and misconception; so that the course of the proceedings in any suit varies according to the discretion of the officials. The Turkish laws are known to be very elastic, and the administration of justice lax in the extreme. Many cunning devices are resorted to in order to have the proceedings conducted in such a manner as to afford greater advantages over the opposite party; and no effort is spared to obtain the patronage of influential persons, by whose means the minds of those who sit in judgment are secretly biased. It is a peculiarity of all Turkish tribunals that lawyers are excluded altogether from appearing on behalf of suitors; and the only privilege allowed is that, under certain restrictions, an agent, not connected with the legal profession, may appear for the party concerned. This prejudice against lawyers may possibly arise from the apprehension that an advocate might, by subtle arguments, embarrass the tribunal. The consequence is, that there exist no native jurisconsults in Turkey. At some future period, this prejudice of the Turkish tribunals may be overcome by the consideration that open advocacy of a cause is certainly more conducive to the ends of justice than the secret machinations now employed to pervert the minds of the judges. Such being the case at present, it is requisite that the greatest care should be taken in the framing of an accurate and well-defined code of procedure, and that the strictest injunctions be given to adhere to it without deviation in any particular. The Consul attached the deepest importance to the formation of a proper code of procedure, having observed how the existing clumsy machinery of Turkish law affords not only a scope for the exercise of one-sided justice, but also frequently prevents the true merits of the case at issue being elicited, even when no unfair bias can be supposed to exist. In civilized countries, the presence of legal practitioners, to whom parties may commit the conduct of their interests, renders it unnecessary for each individual to make himself acquainted with the laws; but in Turkey, owing to the paucity of booksellers and the absence of lawyers, this deficiency must be supplied by the adoption of some other method. I would therefore suggest that the various codes should not only be translated into the different languages, but that the chiefs of all the communities should be supplied with a certain number of copies; and that they should, moreover, always be on sale at the tribunals, to meet the exigencies of the public; so that an opportunity should at least be afforded to all classes of becoming acquainted with the laws framed for their benefit.

CHRISTIANITY IN CHINA.

Correspondence respecting Christianity in China.

On the 18th February, 1860, Mr. Bruce enclosed to Lord John Russell a communication from the Rev. W. Martin, one of the interpreters who accompanied Mr. Ward to Peking, detailing two instances in which the local authorities, in violation of Act 29 of the new American treaty, have taken active measures to prevent the spread of Christian doctrines. In one case, a man was ordered to leave Ningpo, simply because he was engaged in the "gratuitous distribution of religious books." In the latter, a suit was instituted against another, a chief preacher, ostensibly on other pretexts, but really because of his Christianity. On the 15th March, 1860, Mr. Bruce enclosed copy of a proclamation issued by the chief magistrate of Loo-ling-heen, in Kiang-si, against the preachers and professors of Christianity. It reprinted the old law inflicting death and banishment against these two classes of offenders. The proclamation is as follows:—

PROCLAMATION.

By _____, prefect of an inferior department (on vacancy), at present officiating chief magistrate of the district of Loo-ling (Kiang-si province); earnestly calling upon the simple-minded people within his jurisdiction, who practise (false) religions, betimes to awaken and repent of their errors, to come forward and make their submission, and thereby avoid the penalties of the law.

It would appear that the so-called religion of the Lord of Heaven It derives its origin from the occident. It was only towards the end of the things that one Matteo Ricci opened the way for his proselytes to Peking; at first, by means of his impositions and tracts, they deceived and misled the Chinese people, and afterwards they employed lucre to gain over the inhabitants, scholars, and officers of the State while the more ignorant respected that religion and believed in it more and more, and from that cause it has spread its venom throughout the land of China, and has paved the way to ruin. Under our exalted dynasty rectitude and public morality are one and united. They consist in a respectful observance of the family precept of the sacred founder, namely, to root out all false doctrines in order to exalt correct principles.

The Imperial commands have been promulgated to the world in the most forcible language. On the 1st and 15th of each moon these precepts were read and propounded to the people. His Majesty Heuen-tsung-ching-huang-te (posthumous title of Taou-kwang) did further command his court poets carefully to expound these principles, and to put them into the form of rhyme verse, with the view to render them familiar by these means to every house and cottage, and to rescue the people from the snares of those pernicious doctrines, whereby they place themselves beyond the moral influences of this universal rule of peace, and incur the pains of death. Legal prohibitions have also been repeatedly enacted on the same subject. When the rebels of the Canton province, by birth depraved and by nature foul, dared to overthrow the precepts of the present holy rule, they imposed on the simple people by assuming the religion of the Lord of Heaven, and calling him their Heavenly Father. According to them, Jesus suffered an ignominious death; but was, nevertheless, sent down by the Lord of Heaven amongst men, some thousand and few hundred years ago, to be the father, the parent of rebels and malefactors. Only reflect! There is nothing greater than Heaven! who can presume to become the lord and master of it? Yet, what manner of individual is this Jesus of theirs, who should thus have died, and yet be worshipped as the "Lord of Heaven?" What extreme blasphemy! what excessive profaneness! Since Jesus then died the death of a criminal, by what sorcery did he descend on earth again; and what is more, become the parent of rebels and malefactors? As rebels and malefactors have no Lord, no parent, in that case their Jesus cannot have been born of the human species, and that is an end of it; because it is plain that if Jesus had been born of man, his spirit also would have been that of a human being.

Without discussing, however, whether it was possible or not for him to be born again from heaven, how is it possible he should thus have consented to become the lord of rebels, or the parent of malefactors?

The least informed of men possessing a particle of knowledge and discernment must at once see through this immense fraud without further explanation.

I, nevertheless, apprehend, lest a few misinformed persons may be led away by the

discourses they hold respecting a paradise in heaven, and a purgatory in hell, and by their persuading them that there is in reality no depravity on the part of those who profess the religion of the Lord of Heaven, their sole aim being to save their souls by seeking to ascend to heaven and by avoiding to fall into hell.

They ignore, then, that for dutiful and obedient subjects and children, the pleasures and toils of agriculture and honest industry, domestic happiness, and contentment, are present enjoyment of a heavenly paradise, and that rebels are traitors, however much they may kneel to Bhuda (i.e. the R. C.), and say their prayers, they cannot, either dead or alive, escape hell. In the same manner, the criminals of our sacred reign condemned to an ignominious death, theirs are the spirit of demons which supreme heaven will not tolerate.

Where are the souls of these which can be saved? How absurd! how lamentable! Since the time when the Canton rebels first broke out into rebellion, no less a number than one thousand millions of them have perished; the ringleaders have died a wicked death, or have been slain by the soldiery, and their confederates have, one after the other, been put to death by the troops and militia.

For them where is the Lord of Heaven? who is to save their souls?

Is it not surely a manifest retribution for their perverse opposition to the divine law of heaven, and for their rebellion against their Prince and Master, that Heaven has sent down calamities upon them on account of the wickedness they have done?

Simple people, may you awaken! I, the district magistrate, giving due effect to the Imperial mercy, cannot suffer to inflict punishment without previous admonition.

Considering that Tsang-che-shau and Tsang-che-yung, apprehended on this charge, have duly repented of their errors and have apostatized, and since, upon the order in open Court to tread upon the wooden cross, they signified their willingness to do so, I have consented that they be liberated on the security of the local constable and of their respective neighbours.

There are those, however, who, simple-minded, may, on account of their having heretofore professed that religion, still be unwilling to make their submission; besides others who, although they may not yet belong to that sect, are not alive to the depth of the corrupt influences of the religion of the Lord of Heaven, compared with which instantaneous death by poison or the bite of a venomous reptile is as nothing. It is incumbent upon me, therefore, to issue instructions to you. To this end I publish the present proclamation, for the express information and guidance of the military and inhabitants of this city.

You, whom the heavens overshadow above, and who tread on the earth beneath, honour heaven and earth, honour your Prince and your Parent, honour the sages and teachers of past ages.

Give ear to no corrupt principles or false doctrines, but strive to drive them out and unroot them.

Those degraded and unprincipled converts to the religion of the Lord of Heaven who, without recognized Prince or Parent, blaspheme the Lord on High and profane the gods, you should treat them as enemies, and no better than banditti and rebels.

As people of this holy reign, be honest and pure; then men will respect you, and the gods will prosper you.

If those who are unable to distinguish the corrupt from the moral, and hence blindly adhere to that religion because they have imbibed those principles from the preceding generation, let, at all events, their children and grandchildren come forward after the passing this time of this proclamation, and make due submission at the tribunal. And I give to those who hereby know the prohibition against that religion, an opportunity to repudiate their errors.

If, on examination, they show no symptoms of insubordination, and they consent, without hesitation, to tread upon the cross, they shall then be exempt from punishment. If, however, after the publication of this proclamation, any should persevere in their errors and refuse to reform, they shall be suspected of rebellious tendencies, and will subject themselves to apprehension and punishment.

I hereby give you notice that not only the miscreants who propagate that false religion, but those also who practise its tenets, shall be prosecuted with all the rigour of the law. Moreover, this being the period for causing the organization of the local constabulary, notice is given that the constables who shall neglect to denounce the offenders shall be severally fined and otherwise punished according as to whether or not they are guilty of connivance or of concealment of the offence.

I, the district magistrate, have solely in view the extirpation of corrupt principles and the safe maintenance of pure and orthodox doctrines. To attain this end I do not grudge to repeat frequently my admonitions to you.

Military and people, let none among you regard them as empty words, is my earnest wish: otherwise the penalties of the law will overtake you, and envelope your families in ruin.

Let none say that there has not been timely warning.

[Here follows an extract from the Imperial Statute.]

Any native of the Western Ocean (Europe) who shall propagate or teach the religion
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of the Lord of Heaven in the interior of China, or who shall clandestinely engrave or cause to be published any books of religion, or who shall establish places of meeting therein, to propound that religion and delude the people; and any member of the Eight Banners, or any of the Chinese people, who shall receive the doctrine from a native of the West, and use it to convert the people, or who shall privately assume another title or degree (i.e. the title of "Holy Father" or "Priest") to mislead the multitude, shall, on conviction, be sentenced, the principals to be strangled, with immediate execution; and any who shall propagate that religion, without taking a separate title, and the number of people imposed upon be not large, shall be condemned to be strangled, awaiting in prison the execution of the sentence.

And any who shall have allowed themselves to be converted, and shall not reform, shall be sent to the cities in Turkestan, and be given to the high and low orders of Begs, and those able to control them, to be their slaves; and the bannerman shall be struck off the muster-roll of the banner.

If any persons spread evil and corrupt discourses, the consequences of which are found dangerous, or by means of invocations and superstitious services shall impose on the credulity of the people, shall be dealt with according to law in proportion to the gravity of the offence.

If any will respect and give themselves up to the authorities, and will openly renounce the proscribed religion, and shall, in Court, tread upon the wooden cross, and give proofs of sincere repentance, they shall not suffer punishment. But if any should persist in their errors, and should be so blinded as not to awaken to the sense of their faults, they shall in that case suffer the penalties of the law.

It has been strictly prohibited for natives of the West to acquire land and possessions in China. Therefore, those civil and military authorities who shall neglect to denounce any natives of the West who may be privately residing within the limits of their jurisdiction, and there be spreading their religion, shall be denounced to the proper board, to be dealt with accordingly.

Proclamation dated Hien-fung, 9th year, 9th moon, 16th day (October 11, 1859).

CORRESPONDENCE ON CHINA.

Correspondence with Mr. Bruce, her Majesty's Envoy Extraordinary and Minister Plenipotentiary in China.

On the 1st March, 1859, the Earl of Malmesbury furnished Mr. Bruce with instructions on his being appointed her Majesty's Minister in China. He was desired to transfer the general direction of British affairs in China, at Shanghai, at which port it was to be carried on until such time as circumstances should admit of its being established at Peking. Her Majesty's Government, however, would never renounce the right of permanent residence, and would constantly exercise it if any difficulties were thrown in the way of communication between her Majesty's Minister and the Central Government at Peking. Mr. Bruce was, moreover, warned to refuse compliance with any ceremony of form of reception which could in any way be construed into an admission of inferiority on the part of her Majesty in regard to the Emperor of China.

On the 5th July, 1859, the Earl of Malmesbury received a despatch from Mr. Bruce, dated Hong Kong, 4th May, stating that a Russian mission had arrived at Peking, that its members walked about the streets in European costume unmolested, and that discussions had taken place between its chief and the Chinese Government on matters of etiquette, in which it was reported that the Russian had receded from his first demand. Mr. Bruce had communicated with M. Bourboulon, his French colleague, and stated to Admiral Hope that the objects of his mission were—the exchange of the ratifications at Peking, the delivery of his

credentials to the Emperor of China in person, and the arrival as far as Tien-tsin in a British ship of war. In ignorance of the spirit in which the Chinese Government were prepared to receive the first attempt to establish direct relations on a footing of equality with the Court of Peking, the Ambassador and the Admiral agreed that the expedition should be as strong as that which accompanied the Ambassadors of England and France to the Peiho the year before.

On the 16th July, the Earl of Malmesbury received another despatch from Mr. Bruce, dated 16th May, informing him that as soon as the Imperial Commissioners heard of his arrival in China, they proceeded from Soo-chow to Shanghai—a fact of some significance, and which gave colour to the opinion that they would begin negotiations at that point; otherwise, they would have returned to Peking, for the purpose of making preparations for their reception. In order to avoid evasions, Mr. Bruce forthwith wrote to the Commissioner his intention of proceeding direct to Peking. A few days later, Mr. Bruce communicated that the dispositions of the Emperor were most hostile, that military preparations were going on at Peking, and that the batteries at Tien-tsin had been rebuilt.

On the 11th August, the Earl of Malmesbury received a despatch from Mr. Bruce, dated Shanghai, 14th June, stating that he found there letters from the Imperial Commissioners proposing that, instead of proceeding to the north to effect the exchange of the ratifications, he should remain there and commence discussions on various details connected with the carrying the treaty into operation. But Mr. Bruce answered them in positive terms that his resolution to proceed was inflexible. Mr. Bruce, in his despatch to Commissioner Kweiliang, said :—

The undersigned is determined that, so far as it rests with him, no stipulation of the treaty shall be violated. The exchange of the ratifications is a ceremony which records in the most solemn form that the new treaty is the rule henceforth to be observed in conducting the intercourse of the two nations. And as the treaty admits of no alteration or modification, the undersigned cannot allow that the period fixed for the exchange be made in any way dependent on arrangements necessary to carry certain of its details into execution. It is with regret that the undersigned finds at the very outset of a mission sent by her Britannic Majesty as evidence of her desire for peaceful relations, that he is met, not as he had a right to expect, with a cordial and frank invitation to the capital, but with delays and hesitations, ill-calculated to cement a good understanding. The undersigned will not, however, swerve in the least from the course he has laid down in his letter of the 18th ultimo. He is resolved to proceed forthwith to Peking, there to exchange the ratifications of the treaty, and to deliver in person the letter intrusted to his charge by his gracious Sovereign to his Imperial Majesty, to whom it is addressed; nor will he quit the capital until satisfied that effect will be given, without reserve, to every provision of the treaty of Tien-tsin. The undersigned intends no discourtesy to the Imperial Commissioners, but he must, under these circumstances, positively decline any interview with them at this place. His resolution to proceed to Peking is inflexible. It is at the same time his duty to warn his Excellency Kweiliang that he is prepared to insist on a reception befitting the dignity of the nation he represents, and that any failure in this respect will be attended with the most serious consequences to the Imperial Government.

Three days later, Mr. Bruce informed Commissioner Kweiliang that Admiral Hope had started for the mouth of the Peiho with his squadron, charged to advise the local authorities of the immediate approach of the Ministers of France and England. In answer to these two letters, the Commissioners said that they had hastened the arrangements as much as possible, and added as follows :—

With the peaceful relations now established between the two nations, nothing certainly will be done that is not in conformity with the provisions of the treaty; and the Commis-

sioners accordingly pray Mr. Bruce at once to put away all misgiving on the subject. There is no need for him to feel any anxiety. They would wish that on his arrival at the mouth of the Tien-tsin river (the Peiho), he should anchor his vessels of war outside the bar, and then, without much baggage, and with a moderate retinue, proceed to the capital for the exchange of the treaties. His mission being a pacific one (or, as he comes speaking peace), his treatment by the Government of China will not fail to be in every way most courteous; and it is the sincere wish of the commissioners that relations of friendship may be from this time forth consolidated, and that on each side confidence may be felt in the good faith and justice of the other.

On the 13th September, the Earl of Malmesbury received a despatch from Mr. Bruce, dated 5th July, stating that he had attempted to ascend the river, the *Fury* having anchored outside the bar; but that Commander Commerel and Mr. Mongan, the interpreter, bearers of a message to the authorities at the mouth of the river, were not allowed to land. After much hesitation, the two Ministers decided on blowing up the obstacles in the river, so as to admit of their proceeding at once to Tien-tsin. They did so; but, on proceeding to remove the batteries, they were met by a heavy and well-directed fire, which rendered the operation of removing the barriers impossible. Admiral Hope having notified that the force under his command was unable to clear the passage up the river, M. de Bourboulon and Mr. Bruce agreed that they must consider the mission to Peking at an end for the present, and that they should retire to Shanghai. Before the forced entry was attempted, a letter was received from the Emperor to the effect that the Ministers might go to Peh-tang-ho, a port to the northward of Takoo, and that a few days after they might proceed thence to Peking; but Mr. Bruce considered this only as another means of evasion and delay.

On the 26th September, Lord John Russell wrote a despatch to Mr. Bruce, approving of the measures he had taken; that her Majesty deeply regretted the loss of life which attended the gallant, though unsuccessful, efforts of the British and French forces to clear the passage of the river; and that her Majesty had commanded preparations to be made which would enable her forces, in conjunction with those of his Majesty the Emperor of the French, to support him in the instructions which should be thereafter addressed to him.

A day after, the 27th September, another despatch came from Mr. Bruce, dated July 31, informing that the French Minister had received a letter from Ho, the Imperial Commissioner, mentioning Peh-tang as the place to which they ought to have gone. Mr. Bruce added:—

I ought to mention that by the former French treaty, as well as by those made last year, vessels of war coming with pacific objects are entitled to enter any Chinese port. It may, perhaps, admit of a question whether under this clause we could claim the right of going up to Tien-tsin, but there can be no doubt that we were entitled under it to cross the bar, and claim admittance to Takoo for provisions and water; and the Russians in their new treaty have expressly stipulated that their Minister shall, if he wishes, proceed to Peking by Takoo. Even the Americans have provided that their Minister may come to the mouth of the Peiho, and call upon the authorities at that place to provide boats for him in which to continue his journey to the capital. These provisions all point to the river as the route to Peking, the only one of which we have any knowledge, and the one followed by all our previous embassies. If the Chinese had consented to our adopting it, they knew that they could not have reduced the number of our retinue by alleging the want of means of transport and of accommodation—pretexts they could make use of in a journey by land; and I attribute their closing it to a determination to give to our mission to Peking the character, not of an embassy of one equal State to another, implying a personal reception by the Sovereign, and the recognition of diplomatic relations, but of a visit to the capital by an agent for the transaction of business, as conceded by treaty to the Americans, not to be repeated except for weighty reasons, and with the consent of the Chinese Government. The important point of the recognition of international equality, and of the footing on which our

future relations are to be placed, are involved in the reception to be accorded to me on this first occasion; and I confess I think it would be better that the Minister should not go to Peking at all, than that he should do so on the terms indicated in the previous letters of Kweiliang to me, and in the enclosed letter from Ho.

On the 10th August, Mr. Bruce informed that he had received a letter from Imperial Commissioner Ho, suggesting that the British Minister might go to Peking in the same manner as Mr. Ward, the American Minister, and also the Russian Minister; and that if Mr. Bruce would appoint a day to go north, the necessary arrangements would be made for his entrance into Peking. Mr. Bruce, however, declined to correspond with Commissioner Ho, who was only Superintendent of Trade. Nor did he consent to take the entry of the American Minister as a precedent, as he only went in covered carts.

On the 30th October, Lord John Russell received from Mr. Bruce the following account of the principal incidents that marked the journey of the American Minister, and of the treatment the mission experienced during the fifteen days they spent at Peking:—

After some delay Hang-fuh, the Governor-General of Chili, wrote to Mr. Ward, stating that he had received the Emperor's decree authorizing Mr. Ward to proceed, after the 19th July, by way of Peh-tang, to the capital, there to await the coming of the Imperial Commissioners, on whose arrival the ratifications were to be exchanged. On the strength of this invitation Mr. Ward disembarked at Peh-tang on the 20th, and was informed that he was to make the journey to a point ten miles above Tien-tsin, in one of the covered vehicles of the country. These carriages are drawn by a mule, sometimes coupled with a horse, sometimes with a donkey. They have no springs, the body resting on the axle-tree, and no aperture for the admission of air; and Mr. Ward described the suffering and exhaustion of this mode of travelling as intense. In fact, no one but a person in robust health could support such a journey. In a country where every detail of life is a matter of precise regulation, the conveyance in which a traveller is carried indicates his rank and position in the eyes of the population. Your lordship will see by the enclosed extract from Staunton's account of Lord Macartney's embassy, that of the three modes of travelling by chair, on horseback, and in carriages, the last is the least honourable. Lord Macartney himself, and the three principal members of his suite, travelled in chairs from Tung-chow to Peking, the other gentlemen on horseback with the mandarins, and the servants and privates of his English escort in covered carts or waggons. Chairs were similarly provided for the accommodation of Lord Amherst's embassy on their return to Tung-chow, even after his abrupt and angry dismissal by the Emperor.

The object of the Chinese authorities in proposing this conveyance to Mr. Ward, was to lower him and his nation in the eyes of the natives—a result both agreeable to the personal vanity of the high provincial authorities, and consistent with Chinese policy. I have little doubt that Mr. Ward would have refused to accept this accommodation, had the intent of the Chinese in proposing it been properly explained. But in such matters a Minister freshly arrived from the West is entirely in the hands of those who have made the language and customs of China a study. It may be true, as has been asserted, that these gentlemen are sometimes unnecessarily touchy on points of etiquette, but their exclusive education produces in other instances an exactly opposite effect, and inclines them rather to consult Chinese prejudices than to insist on what their own national dignity requires.

On leaving the river at Tung-chow, conveyances of the same kind were supplied, and the road being paved with granite slabs, and completely out of repair, the jolting became so intolerable that Mr. Ward was at length obliged to descend and commence walking under a burning sun; horses having been refused him for the performance of this part of the journey. On this the Chinese officer in command of the escort dismounted, and lent him his own horse, but resumed it on approaching Peking, which Mr. Ward accordingly entered in the carriage. I have seen a letter addressed to the Roman Catholic missionaries on the effect produced by his entry on the crowds of Chinese collected to witness it. The letter describes the cortège as being so modest that the Chinese did not believe that the American Minister could be there. *Humillime intravit*, are the Latin words by which the entry itself is described.

He was lodged in a spacious building called the "Prince's Palace," to prepare which for his reception Mr. Ward was told a large sum had been issued, though it did not appear to him that the money could have gone to its legitimate destination. A number of soldiers or police were placed round it as a mark of honour; but it soon appeared as much for the purpose of keeping the residents in as of keeping the curious and impertinent out. Mr. Ward himself was stopped on attempting to go into the street, and it was only by threatening not

to proceed to business that he obtained leave for the members of his mission to go out on foot. His application for horses and guides, to enable them to ride and find their way about the city, was flatly refused. A foreigner in Peking allowed to go out on foot, but deprived of horses and guides, is a prisoner in everything but the name. The Chinese authorities having discovered that the Chinese steward ("comprador") had obtained for the Americans some paper-fans, on which a plan of the city is printed, threatened him with death in the event of his buying anything for them without their knowledge and permission.

When remonstrated with on this restraint, the Chinese said that as soon as business was concluded the Americans should be allowed to go about freely; but it seems that the restriction was applied not only as a means of pressure to induce the Americans to be pliant on the ceremony of presentation, but also to keep them from any communication with the Russian mission. A Russian officer is said to have attempted to force his way into their residence, but without success, and even a letter was detained for six days before it was delivered. In the meantime every effort was made, by alternate coaxing and angry remonstrance, to obtain Mr. Ward's assent to an interview with the Emperor. The hope of inducing him to agree to a ceremony, differing sufficiently from that performed by foreign envoys towards European sovereigns to imply the recognition of a certain superiority in the Emperor of China, was, I have no doubt, the motive that determined the Chinese Government to admit him to Peking. For disappointed in this hope by Mr. Ward's firmness, Kweiliang, disregarding entirely the fact that Mr. Ward had come up to Peking in consequence of the Emperor's inviting him to exchange ratifications there, wrote to Mr. Ward to ask why he had come to Peking, as he had resolved to adhere so obstinately to his own opinion.

In his reply, Mr. Ward quoted the invitation he had received, and referred to his being charged with a letter from the President to the Emperor of China. The Chinese Government, which persists in considering the engagements it enters into with commercial nations as affairs of trade, to be arranged by the commissioner appointed to superintend the open ports, not as falling within the attributions of the Imperial Cabinet, laid hold of the pretext afforded by Mr. Ward's allusion to the Presidential letter, to treat it as the sole cause of the visit to Peking. They declined, however, to accept it, unless Mr. Ward declared previously in writing that his refusal to perform the required ceremony originated in no want of respect, either on his part or on that of the President, towards the Emperor.

Having written a despatch to that effect, Mr. Ward was informed, by an Imperial decree, that, "the language of his letters being respectful," he was authorized to present it to Kweiliang and his colleagues. As regards the exchange of the treaty, he was told that he ought properly to return to Shanghai, and exchange it there: still, in consideration of his long voyage, the seal was to be appended to it, and Hung-fuh, the Governor-General of Chih-li, will deliver it in exchange. Mr. Ward was then reconducted to Peh-tang, the point whence he had started, and the ceremony of exchanging ratifications was performed by Hung. Your lordship will recollect that when it suited their purpose to delay us at Shanghai, Kweiliang stated that he and his colleagues were the only persons by whom the exchange of ratifications could be effected.

The Chinese Government in this decree, which has since been published in the *Peking Gazette*, state, for the first time, that there was a deliberate intention on their part not to allow me to ascend the river, and that Takoo was fortified by the Emperor's orders. They affirm that this decision was communicated to the foreign Envoys by Kweiliang and Hwaashana at Shanghai, and that they were told they must go round by Peh-tang. These assertions are distinctly contrary to the truth, though I think it not improbable that the Commissioners may have represented the matter in this light to the Emperor. Neither in the letters that passed between the Commissioners and the envoys, nor during the interviews Mr. Ward had with them, was a word said of defences at Takoo, nor was any allusion made to Peh-tang, a place of which we knew nothing until Mr. Ward landed there in July, and which Flag-officer Tatnall assures me is not a branch of the Tien-tsin river at all. As to our firing first, it is contradicted by a memorial of Sung Ko-lin-sin, which is in circulation, though it has not been officially published, and which states distinctly that his men could not be restrained from firing when they saw the gunboats removing the stakes.

Another incident took place during the interview between Mr. Ward and the Governor-General, which deserves to be mentioned: your lordship may recollect that Mr. Ward, the day before the attempt was made to ascend the Peiho, steamed over the bar with the intention of advancing to the barriers, of claiming a passage through them, and of taking part in any conflict that might ensue, should the Chinese fire upon him. He was prevented from making the attempt by his steamer running aground below the stakes, and he therefore sent a boat to demand permission to go up the river. On nearing the jetty, a Tartar, of distinguished appearance, came down to meet it; but when Mr. Ward's card was handed to him, he refused to receive it, saying that he served in the militia, but that his rank was too low to enable him to receive the card of a Minister. While Mr. Ward was engaged in his formal interview with the Governor-General, this same person entered abruptly, and took part for a few minutes in the conversation, without invitation, and without showing any of those marks of deference with which a Governor-General is usually approached. Whether he be Sung Ko-lin-sin, as some of the Americans surmise, or not, no doubt exists in the minds of those who saw him

that he is a man of considerable military rank, and held high command in the Takoo forts at the time when the Chinese asserted that there was no officer present.

I beg to draw your lordship's attention to Mr. Ward's observation on the tone of confidence prevailing at Peking. The popular idea of the English among these ignorant men of the north is, that we are a seafaring people, living on barren rocks, and only formidable at sea. Having kept us out of the river, they think themselves safe in the north from the only description of attack they have to fear, and the old tone of arrogance and patronizing superiority became more and more pronounced as the mission advanced further inland. Even K'weiliang and his colleagues, who can hardly share these illusions, adopted a curt manner and imperious tone, very different from the courteous and deprecating language they used at Shanghai.

On the 29th January, Lord John Russell received a despatch from Mr. Bruce, dated 6th December, informing that he had claimed for British ships the privilege of paying tonnage dues at the reduced rate of four mace per ton instead of five, in consequence of a similar reduction to the tonnage dues having been granted to United States' vessels, according to the American treaty; and on the 28th February another despatch was received, informing that the same reduction had been granted.

On the 29th October, 1859, Lord John Russell wrote a despatch to Mr. Bruce, instructing him, that if he had received any communication to proceed to Peking he should answer that he was not authorized to entertain it until the Chinese Government should have made a formal apology for the acts of the troops who fired on her Britannic Majesty's ships of war from the Takoo forts, and that he should proceed up the Peiho river to Tien-tsin in a British vessel. But that if no specific overtures shall have been addressed by the Chinese Government, he should communicate to the Prime Minister of the Emperor the demands of her Majesty's Government, and inform him, that unless within a period of thirty days from the date of the communication Mr. Bruce received from him a reply conveying the Emperor's unqualified assent to these measures, the British naval and military authorities would proceed to adopt such measures as they may deem advisable for the purpose of compelling the Emperor of China to observe the engagements contracted for him by his plenipotentiaries at Tien-tsin, and approved by his Imperial edict of July, 1858.

On the 10th November, Lord John Russell answered Mr. Bruce's letter of the 3rd September, when he instructed him, that unless the most ample apology should be promptly made, and the other demands specified shall be complied with, he should state that a large pecuniary indemnity would be demanded by her Majesty's Government from that of China.

On the 26th March, Lord John Russell received a despatch from Mr. Bruce, dated 6th February, urging prompt measures to be taken against China, and suggesting the propriety of having instructions as regards the ultimatum identical with those which would be given to the French Minister. On the 27th April, Lord John Russell received from Mr. Bruce a copy of the ultimatum which he had addressed to the Senior Secretary of State and the Members of the Council. The ultimatum is the same as that presented by France, except that the French asserted the principle of the payment of the expenses of the expedition sent out by France. The ultimatum is as follows:—

Mr. Bruce to the Senior Secretary of State Pang-Wan-chang.

Shanghai, March, 1860.

The undersigned, &c., has the honour to address a communication to his Excellency Pang-Wan-chang, &c., and their Excellencies the Members of the Great Council of his Majesty the Emperor of China.

The undersigned has the honour to state that, as in duty bound, he has laid before her Britannic Majesty's Government a full narrative of all the circumstances attending his journey to the mouth of the Tien-tsin river last summer, for the purpose of exchanging the ratifications of the Treaty of Tien-tsin, as required by the provisions of that treaty, on or before the 26th of June, 1859.

Besides the whole of his correspondence with the Imperial Commissioners, and other officers of the Imperial Government, the undersigned has transmitted to the Government of her Britannic Majesty a copy of the Imperial decree, dated the 9th August, and handed, by the Emperor's desire, to the United States' Minister, Mr. Ward, on the eve of his departure from Peking.

The decree begins as follows :—

"Last year the ships of the English sailed into the port of Tien-tsin, and opened a fire on our troops. We accordingly instructed Sang-kolin-sin, Prince of the Korchin tribe, to adopt the most stringent measures for the defence of Takoo, and (the envoys of) the different nations coming up to exchange treaties on this occasion, were told by Kweiliang and Hwas-hana, at Shanghai, that Takoo was thus strictly guarded, and that they must go round by the port of Peh-tang. The Englishman Bruce, notwithstanding, when he came to Tien-tsin in the fifth moon, did not abide by his original understanding with Kweiliang and his colleague, but actually forced his way into the port of Takoo, destroying our defensive apparatus."

The undersigned did not fail at once to apprize the Government of her Britannic Majesty that the Emperor had been singularly misled. Had it, indeed, been signified to him by the Commissioners at Shanghai that his Majesty had decided on closing to foreign envoys the natural and most convenient highway to his capital, such evidence of an unfriendly disposition on the part of the Imperial Government would certainly have been regarded by the undersigned as fit matter of remonstrance and negotiation.

No intimation of the kind, however, was conveyed to the undersigned in the letters of the Imperial Commissioners. The port of Peh-tang was never named by them, nor did the undersigned enter into any engagement with them other than that contained in his letter of the 16th May, in which he acquainted his Excellency Kweiliang of the nature and object of his mission, and of his intention to proceed by ship to Tien-tsin, from which city he requested his Excellency to give the necessary orders for his conveyance to Peking.

He begs to enclose copies of this letter, as also of that received from the Imperial Commissioner of the 12th June. These will prove that the undersigned was allowed to quit Shanghai in total ignorance of the Emperor's objection to his employment of the usual river route.

A like silence on the subject of the Imperial prohibition was observed towards Admiral Hope, Commander-in-Chief of her Majesty's naval forces in these seas, when, in furtherance of the objects made known to his Excellency Kweiliang, in the letter above cited, he appeared, on the 17th June, at the mouth of the river, to announce the approach of the undersigned and his colleague, the Minister of France. The Admiral was assured that the passage had been closed by the so-called militia, whom he found in charge of the booms obstructing it, without the orders of their Government, none of whose officers, the militia repeatedly affirmed, were near the spot; also, that it was closed, not against foreigners, but against a native enemy. These false representations were supported by false appearances; the batteries of the forts were masked; no banners were displayed; no soldier discovered himself. Still further, to prevent verification of the statements of the militia, no communication was allowed with the shore. After promising to remove the obstacles at the river-mouth, the militia repudiated the promise. They conducted themselves with rudeness and violence to the officers who were sent to speak with them; in one instance, proceeding so far as to threaten the life of a gentleman despatched with a message from the Admiral.

Such was the state of things when the undersigned arrived outside the bar on the 20th June. Finding that the officials persisted in keeping aloof, while the militia continued to assert that the obstruction of the river-way was their own unauthorized act, he called on the Admiral to take such steps as would enable him to reach the capital by the time appointed. This, after due notice given to the militia, and after receiving from them an assurance on the previous evening that they should certainly have nothing further to communicate, the Admiral was proceeding to effect, on the 25th June, the eighth day from his arrival, when the forts, which had been for these eight days, to all appearance, deserted, suddenly opened fire upon his squadron. Apparently to cover this treacherous conduct, the officers in charge of the forts have imposed another fiction on his Imperial Majesty, who has been led to believe that the British squadron assumed the offensive by bombarding the forts. This is utterly without foundation; no shot was fired until the batteries had opened; the ships having no other object in advancing but to remove the obstacles placed across the river without authority.

The facts of the case are simply those stated by the undersigned; and her Britannic Majesty's Government, after mature deliberation, have decided that whether the Emperor of China was cognizant of this act of hostility, or whether it was directed by his officers, it is an outrage for which the Chinese Government must be held responsible. Her Britannic Majesty's Government require, therefore, an immediate and unconditional acceptance of the following terms :—

1. That an ample and satisfactory apology be made for the act of the troops who fired on the ships of her Britannic Majesty from the forts of Takoo in June last, and that all guns and material, as well as the ships abandoned on that occasion, be restored.

2. That the ratifications of the Treaty of Tien-tsin be exchanged without delay at Peking; that when the Minister of her Britannic Majesty proceeds to Peking for that purpose, he be permitted to proceed up the river by Takoo to the city of Tien-tsin in a British vessel; and that provision be made by the Chinese authorities for the conveyance of himself and of his suite with due honour from that city to Peking.

3. That full effect be given to the provisions of the said treaties, including a satisfactory arrangement to be made for the prompt payment of the indemnity of 4,000,000 taels, as stipulated in the treaty, for losses and military expenses entailed on the British Government by the misconduct of the Canton authorities.

The undersigned is further directed to state that, in consequence of the attempt made to obstruct the passage of the undersigned to Peking, the understanding entered into between the Earl of Elgin and the Imperial Commissioners in October, 1858, with respect to the residence of the British Minister in China, is at an end, and that it rests henceforward exclusively with her Majesty, in accordance with the terms of Article II. of the Treaty of Tien-tsin, to decide whether or not she shall instruct her Minister to take up his abode permanently at Peking.*

The undersigned has only to add, that unless he receives, within a period of thirty days from the date of this communication, a reply conveying the unqualified assent of his Majesty the Emperor of China to these demands [a large pecuniary indemnity will be demanded from the Government of China, and†] the British naval and military authorities will proceed to adopt such measures as they may deem advisable for the purpose of compelling the Emperor of China to observe the engagements contracted for him by his plenipotentiaries at Tien-tsin, and approved by his Imperial edict of July, 1858.

The undersigned, &c.

(Signed) FREDERICK W. A. BRUCE.

On the 28th May, Lord John Russell received from Mr. Bruce a copy of the reply to the ultimatum, which refused any apology; refused permission to ascend the Tien-tsin river; refused to restore the guns or ships abandoned at the mouth of the river, or to consider the payment of an indemnity. The reply is as follows:—

DECREE.

The Great Council writes a reply (to the Commissioner Ho, which he is) to transmit.

The Council received yesterday (or, a short time since,) a despatch from the Commissioner, and with it a communication he had forwarded from the British Minister Bruce, the contents of which have occasioned the Council the greatest astonishment. He states (1), for instance, that Peh-tang was never alluded to by the Imperial Commissioners Kweiliang and his colleagues. It appears that last year the Imperial Commissioners, Kweiliang and his colleagues, waited for the British Minister at Shanghai for the express purpose of considering with him in person all the conditions proper to an exchange of treaties. On ascertaining that the Minister Bruce had arrived at Wu-sung, they wrote to him several times to engage him to meet them; their object being, in fact, to acquaint him that Takoo was fortified (or, that arrangements had been made for keeping people out of Takoo), and that he must go by way of Peh-tang. He, however, repelled them, refusing them an interview. The Imperial Commissioners, Kweiliang and his colleagues, moreover, informed him that vessels of war must on no account (2) cross the bar; but the British Minister Bruce, paid no attention to these words: and when, on arriving off the Tien-tsin coast (or, the port, or ports, of Tien-tsin), Hang, Governor-General of Chih-li, despatched an officer with a communication to the effect that he was to proceed by way of Peh-tang, and sent him a present of provisions, he would receive nothing, but suddenly brought his vessels into Takoo, and (commenced) destroying the defensive apparatus there placed. How can he allege that he never received the slightest intimation that he was to go by Peh-tang? And as he was coming to exchange treaties, why did he bring with him ships of war? It was plainly his intent to pick a quarrel. How then can he (when the blame is all his own) charge China with shortcoming towards him?

* This is inserted according to the version finally sent:—

"The undersigned has further to observe, that the outrage at the Peiho has compelled her Majesty's Government to increase her forces in China at a considerable cost, and the contribution that may be required from the Chinese Government towards defraying this expense will be greater or less according to the promptitude with which the demands above made are satisfied in full by the Imperial Government."

† These words omitted in the version finally sent.

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The defences prepared at Takoo are not, either (as he implies), prepared to keep out the British (3). Suppose that some other nation's ships of war were to go to the length of presenting themselves under British colours, could it be left to them to commit any breach of propriety they pleased? Well, then, the defences of Takoo cannot possibly be removed, even when the treaty shall have been exchanged. (Then the demand for) indemnity under different heads, and for the restitution of guns, arms, and vessels, is yet more against decorum (4). The war expenses of China have been enormous. The cost of defending the coast from Kwang-tung and Fuh-kien up to Tien-tsin, from first to last, has not been short of several millions of money. Were she to demand repayment of England, England would find that her expenses do not amount to the half of those of China. As to restoring ships and guns, the year before last England destroyed the forts at Takoo, and obtained possession of a number of guns belonging to China: ought she not, then, on her part to be considering how to make these good? But, besides this, half the British ships and guns (demanded) were sunk in the sea; they are not in the possession of China at all. The question may be dropped, therefore, by both parties alike.

Then there is (the announcement that) the compromise by which, the treaties once exchanged, (the Minister) was to have resided somewhere else, is at an end. The compromise by which once the treaties were exchanged (the Minister) was either to select some other place of residence, or to visit (the capital) whenever there might be business of importance to transact, was definitely settled by the British Minister Elgin in negotiation with the Imperial Commissioner Kweiliang and his colleagues. The revocation of this compromise now (announced) is even more unreasonable (than all the other propositions).

Last year when, after the Americans had exchanged their treaty, there was an alteration in the rate of tonnage dues, and the ports of Tai-wan and Chang-chow (Swatow) were opened to trade, the British Minister earnestly prayed for a like arrangement (in his favour). The English had not exchanged their treaty, but his Majesty the Emperor, liberal to foreign nations, and full of tender consideration for the interests of commerce, graciously sanctioned an extension of the boon to the English, for which they should be equally grateful (5). But if the compromise duly negotiated is to be annulled, there will be no impropriety on the part of China if she cancel the arrangement by which she has conceded to the English (the same advantage of) the improvements in tonnage dues and trade that accrues to the Americans under their treaty.

To come to the (British Minister's) request to be treated with courtesy when he comes north to exchange treaties. If he be sincere in his desire for peace, let the Commissioner, when he shall have thought over all the details of the treaty, those which it will be proper to give effect to, and those respecting which compromise (or arrangement) is to be made, negotiate (with the British Minister), and, when both parties shall be perfectly agreed, if he will come north without vessels of war, and with a moderate retinue, and will wait at Peh-tang to exchange the treaties, China will not take him to task for what is gone by. He must be directed to acquaint himself with the rules (observed, or laid down) at the exchange of the American treaties, and the course to be pursued will be further discussed with him (by the Commissioner). But if he be resolved to bring up a number of vessels of war, and if he persist in proceeding by way of Takoo, this will show that his true purpose is not the exchange of treaties, and it must be left to the high officer in charge of the coast (or port) defences to take such steps as shall be thereby rendered necessary (*lit. as shall accord with reason*).

The despatch written on this occasion (by the British Minister) is, in much of its language, too insubordinate and extravagant (for the Council) to discuss its propositions more than superficially (*lit. to go deep into argument*). For the future, he must not be so wanting in decorum.

The above remarks will have to be communicated by the Commissioner to the British Minister, whom it will behave not to adhere obstinately to his own opinion, as, so doing, he will give cause to much trouble hereafter.

A necessary communication.

NOTES.

The archives of Yeh's yamun prove that all the business of the empire is ordered by letters in this form, addressed by the Council to the Provincial Governments; but they invariably begin with an acknowledgment of the receipt on a particular date of the Emperor's commands—of what we term an Imperial decree. I assume that the Council wish it to be inferred that Mr. Bruce's propositions have not been submitted to the Throne.

(1.) The form in which this passage is adverted to, as well as all quoted below, has special reference to the closing remark of the letter. The whole thing is unreasonable; for instance this, for instance that, &c.

(2.) The Commissioners' letter of the 12th of June runs: "There is no need for him (Mr. Bruce) to feel any anxiety. They (the Commissioners) would wish that, on his arrival at the mouth of the Tien-tsin river (or Peiho), he would anchor his vessels of war outside the bar." The Tien-tsin river could not possibly signify the stream which falls into the sea at Peh-tang. This is named, in the maps, the Peh-tang Ho, and has no connection, save an artificial cut, not navigable, with Tien-tsin Ho.

(3). Mr. Bruce's despatch cited the words of the Emperor's decree issued on the occasion of Mr. Ward's visit, in which his Majesty states that his fortification of Takoo was because of the irruption of the English the year before.

(4.) Against decorum ("li") should probably be, against reason ("li"). One character has been written by the copyist for another.

(5.) "Equally with the Americans." It will be remembered that the operation of their treaty-concession was not sanctioned until after further negotiation, and then as a grace.

(Signed) THOMAS WADE, *Chinese Secretary*.

FUGITIVE SLAVES.

Correspondence respecting the Case of the Fugitive Slave, Anderson.

ON the 21st October, Lord John Russell received from Mr. Irvine, of Washington, a despatch communicating that he had received a note from General Cass, requesting that her Majesty's Government would issue a warrant to deliver up the person of a man of colour, named John Anderson, who had been charged with the commission of murder in the State of Missouri, and who had fled to Canada, and had been arrested and confined to gaol in the town of Brantford. In answer to this note, Lord John Russell desired the Secretary of State for the Colonies to take the necessary steps for complying with this application, should there be no objection thereto. The Minister for the Colonies, in answer, stated that the Governor of Canada had been instructed to take such measures as are authorized by the laws of Canada for the extradition to the authorities of the State of Missouri of the person of John Anderson.

On the 16th January, the Duke of Newcastle communicated to Mr. Hammond copy of a despatch which he addressed to the officer administering the government of Canada, on the subject of the fugitive slave, Anderson. It appears that the Court, by a majority of two judges to one, has pronounced a decision that the prisoner was not entitled to be liberated. It further appeared that the prisoner's counsel has given notice of appeal, and that the case would be argued before the Court of Queen's Bench. If the result of that appeal be adverse to the prisoner, under the Treaty of Extradition, he cannot be delivered over to the United States' authorities by the mere action of the law; that can only be done by a warrant under the hand and seal of the Governor. That the case of Anderson was one of the gravest possible importance, and her Majesty's Government were not satisfied that the decision of the Court of Toronto was in conformity with the views of the treaty which had hitherto guided the authorities of this country. That he should in any case abstain from completing the extradition until her Majesty's Government shall have further opportunity of considering the question, and, if necessary, conferring with the Government of the United States on the subject.

On the 1st of February, the Duke of Newcastle informed Mr. Hammond that the Court of Queen's Bench in this country had issued a writ of *habeas corpus*, requiring that the fugitive slave, Anderson, then in custody at Brandon, in Toronto, should be sent to England; and on the 1st of March information reached the Duke of Newcastle that the Chief Justice of Common Pleas, in Upper Canada, had issued a writ of *habeas corpus* in the case of Anderson.

On the 8th March, the Duke of Newcastle received all the papers in the case, up to the judgment given by the Court of Queen's Bench at Toronto. These papers consist of—1st, the warrant of commitment; 2nd, the writ; 3rd, the evidence; and, 4th, the judgment. The judgment was first delivered by Chief Justice Robinson, who stated the facts of the case as follows:—

The prisoner, John Anderson, in and before the year 1844, and from that time till 1853, was living with one Moses Burton, whose slave he was, in the county of Howard, in the State of Missouri, one of the United States of America. In 1853, before September, Burton transferred, that is, as I infer from the evidence, sold, Anderson to one McDonald, who lived in Saline County, in the State of Missouri, about thirty-two miles distant from the residence of Burton. Anderson had a wife, who lived with one Samuel Brown, in Howard County, about two miles from Burton's. In September, 1853, Anderson had been seen by several parties in the neighbourhood of Brown's, and Brown's farm and McDonald's being on opposite sides of the river, and so distant from each other, it was suspected, and was rumoured in the vicinity, that Anderson had run away from his master McDonald; and he had in September, 1853, a day or two before his meeting with the deceased, Seneca T. P. Diggs, been seen on Brown's farm by two persons, who pursued him in order to take him up and deliver him to McDonald, from whom it was supposed he had escaped. He ran away from them, and had been about three weeks from his master McDonald, when, about the 28th day of September, the deceased, Diggs, who lived about six miles from Brown's, having been at work in his barn with some of his negroes, was going from thence across his field to his dwelling-house, about noon, to get dinner. He had four of his negroes with him, and on their way to the house they met Anderson, who asked him if he could tell him where one Charles Givens lived. This Charles Givens lived on the next farm to the deceased, Diggs; and in answer to Diggs' inquiry of Anderson where he was going, and to whom he belonged, Anderson told him that he was going to Givens to get him to buy him. He belonged, he said, to a man on the other side of the river, named McDonald; and he added that he did not want to live on the other side of the river, because his wife was living at Brown's, on the same side as Diggs lived, and about six miles from his farm and Givens'.

Diggs then asked him if he had a pass. He said he had not. Diggs remarked that that looked suspicious, as he was so far from McDonald's, and that he must be a runaway. He told Anderson, also, that he could not allow him to go without a pass, for that he would be himself responsible; and he told Anderson to go with him to his house and get his dinner, and that he would then go with him to Givens and see about the matter. They were at that time going towards the house; Anderson was going quietly along the road, and as they came near to Diggs' house he suddenly started off and ran away. Diggs called to his four negroes to run after him, telling them that if they could catch him they should have the reward.

Diggs had a son of his with him, a child about eight years of age, and did not keep up with the negroes while they were pursuing Anderson, but followed them. Anderson, while he was running from the negroes, took out a knife and called out that he would kill them if they came near him. The negroes had continued chasing him round for some time in a kind of circle, when Diggs, having gone across the circle, saw Anderson not far from him on the other side of a fence, and with his little boy got over the fence and continued the pursuit, having a small stick in his hand. Anderson, when Diggs had got about six yards from the fence, turned upon him, having an open knife in his hand, and ran at him. Diggs struck at him with his stick, which caught in some bushes and broke; and then Anderson stabbed Diggs with his knife (a long dirk knife) in the breast. Diggs tried to run from him, and caught his foot in a vine, and fell, when Anderson went up to him and stabbed him in the back, and ran off. Diggs got up and walked fifteen or twenty yards, and then fell, being unable to get further. At this time one of Diggs' negroes was about twenty yards from them, and the others were at a distance, and for all that appeared, may not have been in sight. The negroes continued to pursue Anderson, but he escaped from them and found his way to Upper Canada, where he was recognized, and apprehended in the spring of this year, 1860.

The place where Diggs was stabbed was about a mile distant from his house. His little boy remained with him an hour or more, till one of the negroes came with a doctor named Crew, who lived about half a mile from the spot, and Diggs was removed on a sled to the doctor's house, where he remained till he died, two or three weeks afterwards, or perhaps rather longer, for in regard to the time there seems to be some discrepancy in the evidence. Two of Diggs' sons were examined before the magistrates at Brantford, in this province, to whom the complaint was made; and the deposition of one of the negroes, who was near enough to see, and did see, Anderson stab the deceased, was, by consent of the prisoner's counsel, allowed to be read. One of the sons, now fifteen years of age, is the same boy who in 1853 was with his father when he received his wounds. The other son, ten years older, saw nothing of the occurrence, but proved the account given to him by his father, two days before he died, when he had no hope that he would recover. Another witness, William C.

Baker, gave evidence of the same description, from the account which he received from Diggs, while he was lying at Dr. Crew's.

There is little variation in the accounts, and the testimony of the witnesses has the appearance of being given fairly. The prisoner Anderson admitted, after his arrest, that he cut a man in attempting to escape from slavery, but did not believe he had killed him. He desired to address the Court when brought before it upon this writ, and said the same thing in substance.

There seems to be no room for doubt either as to the facts of this case, in any important particular, or as to the spirit in which Diggs and Anderson acted from the moment they met on that day in September, which proved fatal to Diggs.

In the arguments addressed to us by Anderson through his counsel, and in some observations which he made himself, it is clear that he desires to rest his defence upon the ground that in stabbing Diggs, and in his whole conduct on that day from the time they met, he was actuated solely by the desire to gain his freedom, by escaping from slavery. This, it was urged, was the motive that prompted him throughout; and we were told that, although he did profess to Diggs that he was anxious merely to change his master, for the reasons which he gave, and had come to that part of the State for the purpose of endeavouring to induce Givens to buy him, yet that was merely a pretence put forward to lull suspicion, and to cover his real design; for that he had, in fact, escaped from his master, McDonald, and was bent on making his way out of the State, and had come to Howard County for the purpose of communicating with his wife, and arranging with her how she could follow him to Canada; and it was asserted in argument, in corroboration of this (though I see nothing of that in the evidence before the committing magistrates), that his wife did actually make her escape about the same time, and got to Detroit before himself. On the other hand, in the evidence brought forward to sustain the charge, it is plainly and consistently stated that Diggs acted entirely from the motive of preventing the escape of Anderson, and with the view to restore him as a slave to his master, McDonald. They seem to have been strangers to each other up to that day; and Diggs, according to the evidence, acted not from any knowledge he had that Anderson was a slave, but from suspicion, strengthened by the fact that he admitted he had no pass, and that McDonald, who lived twenty or thirty miles off, was his owner.

The judge then commented on the evidence, and afterwards proceeded to consider the offence in connection with the law for the surrender of fugitive offenders from the United States of America, which is founded on the Ashburton Treaty of the 9th of August, 1842; ratified the 30th of October, 1842; and upon the statute, cap. 89, Consolidated Statutes of Canada, taken from 12 Vic., c. 19. The treaty provides that the Government of the two countries shall, upon mutual requisition, deliver up to justice persons charged with any of the crimes specified in the treaty committed within the jurisdiction of either of the contracting parties, who should seek an asylum or be found within the territories of the other: "Provided that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive, or the person so charged, shall be found, would justify his apprehension and commitment for trial, if the crime had been there committed."

Our statute, cap. 89, for carrying into effect this treaty, provides, that upon complaint, made under oath or affirmation, charging any person found within the limits of this province with having committed within the jurisdiction of the United States of America any of the crimes enumerated in the treaty, any of the judges of our superior courts, or any of her Majesty's justices of the peace in this province, "may issue his warrant for the apprehension of the person so charged, that he may be brought before such judge or justice of the peace, to the end that the evidence of criminality may be heard and considered; and, if on such bearing the evidence be found sufficient by him to sustain the charge according to the laws of this province, if the offence had been committed herein, he shall certify the same, with a copy of the testimony taken before him, to the Governor, that a warrant may issue upon a requisition of the proper authorities of the United States, or of any of such States, for the surrender of such person according to the treaty. "And the said judge or justice of the peace shall issue his warrant for the commitment of the person so charged to the proper gaol, there to remain until such surrender be made, or until such person be discharged according to law." Section 2.—Copies of the informations on which the warrant has been granted in the United States, certified as the Act directs, may be received on the hearing after arrest in this province, in evidence of the criminality of the person so apprehended. Section 3.—The Governor, upon such requisition by the Government of the United States, or of any State, may, by warrant, order the person so committed to be delivered to the person authorized to receive him on behalf of the United States, or of any such State, to be tried for the crime, &c., and such person shall be delivered up accordingly. Section 4.—If any person committed under this Act and treaty, to remain till delivered up in pursuance of a requisition, be not delivered and conveyed out of this province within two months, then any of the judges having power to grant an *habeas corpus* upon application made to him or them, by or on behalf of the person so committed, and upon proof made to him or them that reasonable notice of the intention to make such application has been given to the provincial secretary, may order the person so committed to be discharged out of custody, unless sufficient cause shall be shown to such judge or judges why such discharge should not be ordered.

Taking, then, this statute into consideration, together with the return made by the sheriff of the county of Brant to the writ of *habeas corpus* stating the warrant under which he holds the prisoner in custody, and taking also the return made by the justices of the evidence upon which they issued that warrant, we have first to consider whether the warrant shows upon the face of it a legal course of imprisonment.

Here the judge found some irregularities in the words used in the warrant, which he overruled. And afterwards, upon the construction of the treaty :—

The point which has been argued before us, and the only point, is, what construction and effect it is proper to give to those words in the treaty ; and in our statute 22 Vict., cap. 8, sect. 1 (Consolidated Statutes of Canada), which, when read together, in effect provide that a person charged with committing, within any of the United States of America, any of the offences mentioned in the treaty, that is to say, murder, or assault with intent to commit murder, piracy, arson, robbery, or forgery, "and charged upon such evidence of criminality as, according to the law of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial if the crime or offence had there been committed," may be apprehended upon complaint made under oath, in order that he may be brought before the judge or justice of the place who has caused him to be apprehended, to the end that the evidence of his criminality may be heard and considered, "and that if on such hearing the evidence be deemed sufficient by him to sustain the charge according to the laws of this province, he shall certify the same, together with a copy of all the testimony taken before him, to the Governor of the province, in order that a warrant may issue, upon the requisition of the proper authorities of the United States, or of any of such States, for the surrender of the person charged according to the stipulation of the treaty." It will be observed that in one part of the treaty, as recited in this statute, the evidence of criminality is required to be such "as would justify the apprehension of the party and his commitment for trial, if the offence had been committed in the country where he is found," while in another part the evidence is required to be such "as shall be deemed sufficient to sustain the charge." Nothing can turn, I think, upon this variation in expression, but we must look upon the same thing as intended by both, for in the treaty as recited in the commencement of the statute, it is declared to have been agreed by the two Powers that offenders charged with certain offences flying from one country into the territories of the other should be delivered up to justice : "Provided, however, that this shall only be done upon such evidence of criminality as, according to the laws of the place where the fugitive so charged shall be found, would justify his apprehension and commitment for trial, if the crime had been there committed." This shows that nothing more can be meant by the other form of expression than by this, since, by the treaty, evidence sufficient to commit the party for trial is all that is required to warrant his being given up. And, indeed, it would not be reasonable to require more.

I think, "the sufficiency of the evidence of criminality to sustain the charge, according to the laws of this province, if the offence alleged had been committed therein," is to be determined by the judge or justice upon his view of the transaction as described in the testimony taken in connection with the law of the foreign State where it occurred as regards the offence in question ; and also with reference to the law which governs our own courts and magistrates in regard to the sufficiency of the evidence ; that is, its sufficiency in point of legal character, and its adequacy to support the charge of the offence against the law of the foreign country. I will not take upon me to say that there is absolutely no ground for doubt or discussion upon the meaning of those words in the statute which I have last cited.

I can see that what I take to have been the certain intention of the treaty, and of our statute, might have been more clearly expressed ; but I really cannot say that I have any doubt that the intention was that the judge or justice who has heard the testimony is to determine whether the evidence of criminality, if fully credited by a jury, and not repelled in any essential point, is such that it can be truly said that the facts are strong enough, and the proof clear enough, according to the laws of this province, to sustain the charge. What charge ? the charge in the case before us of having committed, in the State of Missouri, the crime of murder. It has been argued on the part of the prisoner, that both the passages in the statute in which the sufficiency of the evidence to prove criminality is spoken of, have reference to the law of this province, not merely as regards the nature of the proof that may be received, and its conclusive tendency, but also to the law of the province as regards the particular offence, and in relation to whatever circumstances may have influenced the party in committing the act. I cannot go the whole length of that argument, as it has been endeavoured to apply it in this case. So far as regards the means of proof, there can be no doubt that it is our law which must govern, according to the provision in the statute. If, for instance, the law of Missouri should admit a confession extorted from a slave by violence or threats to be used against him on a charge of this kind, we must reject such evidence, notwithstanding, when produced here ; and if without it the criminality should not appear to be

established, the prisoner could not be detained. So also, if the law of Missouri should allow evidence of a free man not on oath to be admitted against a slave charged with having committed a crime against a free man, the judge or justice could not act upon such evidence here. The reason in favour of precaution, to this extent at least, is glanced at by Lord Chief Justice Willes, in the case of *Omichund v. Barker* (Willes' Reports, 549), where a very different question from the present was under discussion. "I entirely disagree," he observed, "from what is reported to have been said by Lord Chief Justice Ley, in 2 *Rolls Reports*, 346, that in the trials of matters arising beyond sea, we ought to allow such proof as those beyond sea would allow. This would be leaving the point on so very loose and uncertain a footing that I cannot come in to it; for if this rule were to hold, considering in what a strange manner justice is administered in some parts, God knows what must be admitted."

But the construction contended for would seem to exact that there should be a similarity between the law of the State from which the person has fled and that of our country, in all the features and attributes of the particular crime. To some extent it might be reasonable to hold that the law of the two countries should be found to correspond. For example, if it were the law of Missouri that every intentional killing by a slave of his master, however sudden, should be held to be murder, without regard to any circumstances of provocation, or of any necessity of self-defence against mortal or cruel injury, I do not consider that a fugitive slave who, according to the evidence, could not be found guilty of murder without applying such a principle to the case, could legally be surrendered under the treaty. But I could not go to the length of holding that because a man could not, in the nature of things, be killed in this province while he was pursuing a slave, because there are not, and by law cannot be, any slaves here, therefore a slave who has fled from a Slave State into this province cannot be given up to justice because he murdered a man in that State, who was at the time attempting to arrest him under the authority of law, in order to take him before a magistrate with a view to his being sent back to his master.

It would not be right, I think, to hold that the fugitive should, under such circumstances, not be surrendered; and to hold this, without reference to what the positive law of that country might allow, or to the conduct of the party pursuing, or of the party pursued, or to the knowledge of the latter that the purpose for which it was desired to arrest him was not contrary to the law of the country, or to the fact (if it should be so) that there was no apparent necessity to inflict death in order to escape. The statute has been about ten years in force, and, so far as I know or have heard, if the construction that is now insisted upon were established it would be a new construction. Neither the treaty nor the statute can be taken to have been founded on a presumption that the criminal or the civil law prevailing in the territories of the two contracting Powers would be found to be the same. In arson and in forgery, for instance, it is likely there may be points of difference as regards the descriptions of property, and of the written securities, which it is the object of the law in the several countries to protect; though, as regards murder, there is nothing in the evidence to establish that the legal definition of the crime is not the same in the State of Missouri as in Canada. Now we know that a person who in Canada wilfully kills another, without justification or lawful excuse, is guilty of murder, the law deeming the act to have been malicious. There is nothing before us to show that the law is otherwise in Missouri. I use the word "excuse" in a sense that would conclude any circumstances of provocation, or otherwise, that should obviously in law reduce the act to manslaughter.

The evidence which the justices had before them tends to show that Anderson, the prisoner, stabbed Diggs, the deceased, while he, Anderson, was endeavouring to escape from him, and while Diggs was endeavouring to prevent such escape, and to take him before a magistrate, in order to his being restored to McDonald, his master. Anderson was still in the State of Missouri, where he had been living many years, if not all his lifetime; and though he was twenty or thirty miles away from McDonald, yet it rests only on his own declaration that he had resolved, if possible, to leave the State, and to escape from slavery entirely. Whether that was or was not his intention at the time, we see that the law of Missouri, of which such evidence has been received as by the existing state of the law, both in England and in Canada, is now admissible (*Baron de Bode's case*, 82 B., 208, 246, 254; *Sussex Peerage case*, 11 Cl. and Fin., 85), authorizes any person to apprehend any negro or mulatto being or suspected of being a runaway slave, and to take him before any justice of the peace, who may deliver him to his owner.

It is true it is not proved that the prisoner, if he was attempting to escape from slavery altogether, or only from the immediate control of his master, was, in either case, committing any criminal offence against the law of Missouri; nor is it shown that the law of the State made it the duty of Diggs to apprehend him, under the circumstances in which he found him; but Diggs having, as it appears, authority to take him up and carry him before a magistrate, under the general law of the State, it cannot be said that he was acting illegally at the time that Anderson rushed upon him, and repeatedly stabbed him with a deadly weapon. He was acting under a legal authority as much as if he had been armed with process; the fact being proved, and not denied, that the statute law of Missouri applied to the prisoner under the circumstances in which he was; and unless Diggs abused his authority by using a degree of violence uncalled for by the circumstances, the killing him was not justifiable; nor can it be

said, I think, that the facts of the case lead plainly to the conclusion that the act of the prisoner Anderson should be held to be nothing more than manslaughter.

Upon his trial on a charge of murder, if he shall be surrendered, and if he shall be for that offence, it will be for the jury to dispose of the case under the direction of a judge. There may then appear sufficient reasons to warrant the jury in taking a favourable view of the case, and to lead them to think it probable that the prisoner advanced towards the deceased and stabbed him under an apprehension that it was necessary, not merely to facilitate his own escape, but to save his life, or to avert threatened violence at the moment. But the case, in my judgment, is not one in which the justices at Brantford would have been warranted in assuming the functions of a jury, and intercepting a trial for the graver offence.

We may be told that there is no assurance that the prisoner, being a slave, will be tried fairly and without prejudice in the foreign country; but no court or magistrate can refuse to give effect to an Act of Parliament by acting on such an assumption; nor can we be influenced by the consideration (a very painful one in all such cases) that the prisoner, even if he shall be wholly acquitted of the offence imputed to him, must still remain a slave in a foreign country. That was a consideration to be entertained while the subject of the treaty was under discussion, and before it became a law. It might also have engaged attention in framing its provisions, and we cannot think it probable that it did not. But neither the treaty nor the statute makes allowance for the circumstance of a fugitive offender having been a slave in the country from which he fled. That is not recognized in the treaty as a reason against his surrender to be tried for murder, arson, or any other crime specified in the statute, though it could not have escaped attention that the consequence of the surrender would be the putting the fugitive again in the power of his master in case of his acquittal. Those who are to act judicially in carrying this statute into effect must, so far as the statute allows, carry out the treaty faithfully. They have no right to decline doing so on account of any distinction of consideration which neither the statute nor the treaty has made the ground of an exception; and when we say of a court of justice that they have not the right to take a particular course, we say the same thing in effect as that they have not the power. In my opinion, therefore, we are bound to remand the prisoner.

If there has been any understanding between the Government of the United Kingdom and the American Government, or any instructions upon the subject of delivering up slaves flying from one of the United States to Canada, and charged while here with having committed in the United States some one of the crimes mentioned in the treaty, it is probable that the Governor of this province is aware of such understanding or instructions; and his power under the statute or the treaty to surrender a fugitive, or to decline to surrender him, cannot be affected by anything that may be said or done by us here. It is equally clear that the justices who had to deal with the case in the first instance, or we, who are applied to as a court of law to overrule their decision, must conform to what the law requires, and are not at liberty to act upon considerations of policy, or even of compassion, where a duty is prescribed. To use the words of a great judge, in dealing with a case in which slavery and its consequences were discussed, "We cannot in these points direct the law, the law must rule us."

After the Chief Justice, Mr. Justice McLean gave his judgment, and having commented on the facts, he concluded as follows:—

The law of England, or rather of the British Empire, not only does not recognize slavery within the dominions of the Crown, but imposes upon any British subject, who shall have become the owner of slaves in a foreign State, the severest penalties, and declares that all persons engaged in carrying on the slave trade, when captured at sea, shall be liable to be treated as pirates. In all the British possessions the institution of slavery, which at one time prevailed to a certain extent, was abolished, at the enormous expense of 20,000,000*l.* sterling, in remunerating the holders of slaves. An immense amount has since been expended in efforts to suppress the African slave trade, and by every possible means the British Government has put down and discountenanced the traffic in human beings. Even when slavery was tolerated in some of the British possessions, no person could be brought into England without becoming free the moment he touched the soil; and though other nations have not chosen to follow the noble example of the British nation, and some are even yet embarking in the nefarious and unchristian attempts to import human beings from the coast of Africa, to be held in perpetual bondage, for the purpose of this world's gain, even at the risk of being regarded as pirates, happily the traffic has become too uncertain and too hazardous to be carried on to so great an extent as formerly prevailed. In the adjoining Republic, the evils and the curse of slavery are every day becoming more manifest, and even now threatening to lead to a dissolution of the federal compact of the United States, under which the several States have enjoyed an unexampled degree of prosperity.

The evil is not less revolting in a social point of view, for though the laws of some of the States of the Union may tolerate the dealing in human beings as if they were sheep or oxen, the best feelings of our nature must shudder at the thought of the severance of those

endearing relations which usually form the solace and happiness of mankind. A father and mother, husband and wife, are liable, at the caprice of a master, or perhaps from his necessities, to be separated from each other and from their children, and they are bound to submit, or if they attempt to escape from bondage, and to consult their own happiness in preference to the gain of their masters, are liable to be hunted by any white or black man who chooses to engage in the pursuit, and when captured are liable to severe punishment and increased severity from their taskmasters.

The prisoner Anderson, as appears by the statement of Baker, who came to this province to identify him, has felt the horrors of such treatment. He was brought up to manhood by one Moses Burton, and married a slave on a neighbouring property, by whom he had one child. His master, for his own purposes, disregarding the relation which had been formed, sold and transferred him to a person at a distance, to whose will he was forced to submit. The laws of Missouri, enacted by their white oppressors, while they perpetuate slavery, confer no rights on the slaves, unless it be the bare protection of their lives. Can it then be a matter of surprise that the prisoner should endeavour to escape from so degrading a position, or rather would it not be a cause of surprise if the attempt were not made? Diggs, though he could have had no other interest in it but that which binds slave-holders, for their common interest, to prevent the escape of their slaves, interfered to prevent the prisoner getting beyond the bounds of his bondage, and with his slaves pursued and hunted him with a spirit and determination which might well drive him to desperation; and when at length the prisoner appeared within reach of capture, he, with a stick in his hand, crossed over a fence, and advanced to intercept and seize him. The prisoner was anxious to escape, and, in order to do so, made every effort to avoid his pursuers. Diggs, as their leader, on the contrary, was most anxious to overtake and come in contact with the prisoner, for the unholy purpose of riveting his chains more securely. Could it be expected from any man indulging the desire to be free which nature had implanted in his breast, that he should quietly submit to be returned to bondage and to stripes, if by any effort of his strength, or any means within his reach, he could emancipate himself. Such an expectation, it appears to me, would be most unreasonable; and I must say that, in my judgment, the prisoner was justified in using any necessary degree of force to prevent what, to him, must inevitably have proved a most fearful evil. He was committing no crime in endeavouring to escape and to better his own condition; and the fact of his being a slave cannot, in my humble judgment, make that a crime which would not be so if he were a white man. If in this country any number of persons were to pursue a coloured man, with an avowed determination to return him to slavery, it cannot, I think, be doubted that the man pursued would be justified in using, in the same circumstances as the prisoner, the same means of relieving himself from so dreadful a result.

Can then, or must, the law of slavery in Missouri be recognized by us to such an extent as to make it murder in Missouri, while it is justifiable in his province to do precisely the same act? I confess that I feel it too repugnant to every sense of religion, and every feeling of justice, to recognize a rule, designated as a law, passed by the strong for enslaving and tyrannizing over the weak—a law which would not be tolerated for a moment, if those who are reduced to the condition of slaves, and deprived of all human rights, were possessed of white instead of black or dark complexions. The Declaration of Independence of the present United States proclaimed to the world that all men are born equal, and possess certain inalienable rights, amongst which are life, liberty, and the pursuit of happiness, but the first of these is the only one accorded to the unfortunate slaves; the others of these inalienable rights are denied because the white population have found themselves strong enough to deprive the blacks of them. A love of society is inherent in the human breast, whatever may be the complexion of the skin; "its taste is grateful, and ever will be so till Nature herself shall change;" and in administering the laws of a British province, I never can feel bound to recognize as law any enactment which can convert into chattels a very large number of the human race. I think that on every ground the prisoner is entitled to be discharged.

Mr. Justice Burnes having also delivered his opinion against the discharge of the prisoner, judgment was passed accordingly, that John Anderson shall be re-committed to custody, to remain in the common jail until a warrant shall issue, upon the requisition of the proper authorities of the United States of America, for the surrender of the said John Anderson, to be tried for the murder of one Seneca T. P. Diggs, according to the treaty between her Majesty and the United States of America.

On the 15th of April, 1861, the Duke of Newcastle received copies of the judgment of the Court of Common Pleas, which terminated in the liberation of the prisoner, on the ground of a technical informality in the earlier stages of the process before the committing magistrate, the words

in the warrant "wilfully, maliciously, and feloniously stab and kill one Seneca T. B. Diggs" not being sufficient for a charge of murder, being only a felonious homicide.

TREATY WITH TURKEY.

*Treaty of Commerce and Navigation between her Majesty and the Sultan.
Signed at Kanlidja, April 29, 1861. [Ratifications exchanged at Constantinople, July 9, 1861.]*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland on the one part, and his Majesty the Emperor of the Ottomans on the other part, being equally animated by the desire of extending the commercial relations between their respective dominions, have agreed, for this purpose, to conclude a treaty of commerce and navigation, and have named as their respective plenipotentiaries, that is to say—her Majesty the Queen of the United Kingdom, the Right Honourable Sir Henry Lytton Bulwer, her Majesty's ambassador to the Sublime Porte; and his Majesty the Emperor of the Ottomans, his highness Mehemed Emin Aali Pasha, Minister for Foreign Affairs; who, having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:—

ART. I.—All rights, privileges, and immunities which have been conferred on the subjects or ships of Great Britain by the existing capitulations and treaties, are confirmed now and for ever, with the exception of those clauses of the said capitulations which it is the object of the present treaty to modify; and it is, moreover, expressly stipulated, that all rights, privileges, or immunities which the Sublime Porte now grants or may hereafter grant to, or suffer to be enjoyed by, the subjects, ships, commerce, or navigation of any other foreign Power, shall be equally granted to, and exercised and enjoyed by, the subjects, ships, commerce, and navigation of Great Britain.

ART. II.—The subjects of her Britannic Majesty, or their agents, shall be permitted to purchase, at all places in the Ottoman dominions and possessions (whether for the purposes of internal trade or of exportation) all articles, without any exception whatsoever, the produce or manufacture of the said dominions and possessions; and the Sublime Porte having, in virtue of the second Article of the Convention of Commerce of the 16th of August, 1838, formally engaged to abolish all monopolies of agricultural produce or of any other articles whatsoever, as well as all permits (*teskerés*) from the local governors, either for the purchase of any article, or for its removal from one place to another, when purchased, any attempt to compel the subjects of her Britannic Majesty to receive such permits from the local governors shall be considered as an infraction of treaties, and the Sublime Porte shall immediately punish with severity any Viziers or other officers who shall have been guilty of such misconduct, and shall render full justice to British subjects for all injuries or losses which they may duly prove themselves to have suffered thereby.

ART. III.—If any article of Turkish produce or manufacture be purchased by British merchants or their agents, for the purpose of selling the same for internal consumption in Turkey, the said British merchants or

their agents shall pay, at the purchase and sale of such articles, and in any manner of trade therein, the same duties that are paid in similar circumstances by the most favoured class of Ottoman subjects, or of foreigners engaged in the internal trade of Turkey.

ART. IV.—No other or higher duties or charges shall be imposed in the dominions and possessions of either of the contracting parties, on the exportation of any article to the dominions and possessions of the other, than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two contracting parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country. No charge or duty whatsoever will be demanded on any article of Turkish produce or manufacture purchased by British subjects or their agents, either at the place where such article is purchased, or in its transit from that place to the place whence it is exported, at which it will be subject to an export duty not exceeding eight per cent. calculated on the value at the place of shipment, and payable on exportation; and all articles which shall once have paid this duty shall not again be liable to the same duty, however they may have changed hands, within any part of the Ottoman dominions. It is furthermore agreed that the duty of eight per cent. above mentioned will be annually reduced by one (1) per cent., until it shall be in this manner finally reduced to a fixed duty of one (1) per cent. *ad valorem*, destined to cover the general expenses of administration and control.

ART. V.—No other or higher duties shall be imposed on the importation into the dominions and possessions of her Britannic Majesty, of any article the produce or manufacture of the dominions and possessions of his Imperial Majesty the Sultan, from whatever place arriving, whether by sea or by land, and no other or higher duties shall be imposed on the importation into the dominions and possessions of his Imperial Majesty, of any article the produce or manufacture of her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or may be payable on the like article the produce or manufacture of any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article the produce or manufacture of the dominions and possessions of either of the contracting parties into the dominions and possessions of the other, which shall not equally extend to the importation of the like articles being the produce or manufacture of any other country. His Imperial Majesty further engages that, save as hereinafter excepted, he will not prohibit the importation into his dominions and possessions of any article the produce or manufacture of the dominions and possessions of her Britannic Majesty, from whatever place arriving; and that the duties to be imposed on any article the produce or manufacture of the dominions or possessions of her Britannic Majesty imported into the dominions or possessions of his Imperial Majesty, shall in no case exceed one fixed rate of eight (8) per cent. *ad valorem*, or a specific duty, fixed by common assent, equivalent thereto. Such rate shall be calculated upon the value of such articles at the wharf, and shall be payable at the time of their being landed, if brought by sea, or at the first custom-house they may reach, if brought by land. If these articles, after having paid the import duty of eight (8) per cent., are sold either at the place of their arrival or

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in the interior of the country, neither the buyer nor the seller shall be charged with any further duty in respect to them; and if such articles should not be sold for consumption in Turkey, but should be re-exported within the space of six months, the same shall be considered as merchandize in transit by land, and be treated as is stated in Article XII.; the administration of the customs being bound to restore at the time of their re-exportation to the merchant, who shall be required to furnish proof that the goods in question have paid the import duty of eight (8) per cent., the difference between that duty and the duty levied on goods in transit by land, as set forth in the article above cited.

ART. VI.—It is understood that any article the produce or manufacture of a foreign country, intended for importation into the united principalities of Moldo-Wallachia, or into the principality of Servia, which shall pass through any other part of the Ottoman dominions, will not be liable to the payment of customs duty until it reaches those principalities; and, on the other hand, that any article of foreign produce or manufacture passing through those principalities, but destined for some other part of the Ottoman dominions, will not be liable to the payment of customs duty until such article reaches the first Custom-house under the direct administration of the Sublime Porte. The same course shall be followed with respect to any article the produce or manufacture of those principalities, as well as with respect to any article the produce or manufacture of any other portion of the Ottoman dominions, intended for exportation: such articles will be liable to the payment of customs duties, the former to the custom-house of the aforesaid principalities, and the latter to the Ottoman custom-house, the object being, that neither import nor export duties shall in any case be payable more than once.

ART. VII.—The subjects of one of the contracting parties shall enjoy, in the dominions and possessions of the other, equality of treatment with native subjects in regard to warehousing, and also in regard to bounties, facilities, and drawbacks.

ART. VIII.—All articles which are or may be legally importable into the dominions and possessions of her Britannic Majesty, in British vessels, may likewise be imported in Ottoman vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in British vessels; and reciprocally, all articles which are or may be legally importable into the dominions and possessions of his Imperial Majesty the Sultan in Ottoman vessels, may likewise be imported in British vessels, without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in Ottoman vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other country. In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the contracting parties, on the exportation of any article which is or may be legally exportable therefrom, whether such exportation shall take place in Ottoman or in British vessels, and whatever may be the place of destination, whether a port of either of the contracting parties or of any third power.

ART. IX.—No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties, of whatever nature, or under

whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ART. X.—All vessels which, according to British law, are to be deemed British vessels; and all vessels which, according to Ottoman law, are to be deemed Ottoman vessels, shall, for the purposes of this treaty, be deemed British and Ottoman vessels respectively.

ART. XI.—No charge whatsoever shall be made upon British goods being the produce or manufacture of the British dominions or possessions, whether in British or other ships, nor upon any goods the produce or manufacture of any other foreign country carried in British ships, when the same shall pass through the Straits of the Dardanelles or of the Bosphorus, whether such goods shall pass through those straits in the ships that brought them, or shall have been trans-shipped to other vessels; or whether, after having been sold for exportation, they shall, for a certain limited time, be landed in order to be placed in other vessels for the continuance of their voyage. In the latter case, the goods in question shall be deposited at Constantinople in the magazines of the custom-house, called transit magazines; and in any other places where there is no *entrepôt*, they shall be placed under the charge of the Administration of the Customs.

ART. XII.—The Sublime Porte desiring to grant, by means of gradual concessions, all facilities in its power to transit by land, it is stipulated and agreed that the duty of three (3) per cent. levied up to this time on articles imported into Turkey, in their passage through Turkey to other countries, shall be reduced to two (2) per cent. payable, as the duty of three per cent. has been paid hitherto, on arriving in the Ottoman dominions; and at the end of eight years, to be reckoned from the day of the exchange of the ratifications of the present treaty, to a fixed and definite tax of one (1) per cent., which shall be levied, as is to be the case with respect to Turkish produce exported, to defray the expense of registration. The Sublime Porte, at the same time, declares that it reserves to itself the right to establish, by a special enactment, the measures to be adopted for the prevention of fraud.

ART. XIII.—Her Britannic Majesty's subjects, or their agents, trading in goods the produce or manufacture of foreign countries, shall be subject to the same taxes, and enjoy the same rights, privileges, and immunities as foreign subjects dealing in goods, the produce or manufacture of their own country.

ART. XIV.—An exception to the stipulations laid down in the fifth article shall be made in regard to tobacco, in any shape whatsoever, and also in regard to salt, which two articles shall cease to be included among those which the subjects of her Britannic Majesty are permitted to import into the Ottoman dominions. British subjects, however, or their agents, buying or selling tobacco or salt for consumption in Turkey, shall be subject to the same regulations, and shall pay the same duties, as the most favoured Ottoman subjects trading in the two articles aforesaid; and furthermore, as a compensation for the prohibition of the two articles above-mentioned,

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no duty whatsoever shall in future be levied on those articles when exported from Turkey by the subjects of her Britannic Majesty. British subjects shall, nevertheless, be bound to declare the quantity of tobacco and salt thus exported, to the proper custom-house authorities, who shall, as heretofore, have the right to watch over the export of these articles, without thereby being entitled to levy any tax thereon on any pretence whatsoever.

ART. XV.—It is understood between the two High Contracting Parties, that the Sublime Porte reserves to itself the faculty and right of issuing a general prohibition against the importation into the Ottoman dominions of gunpowder, cannon, arms of war, or military stores; but such prohibition will not come into operation until it shall have been officially notified, and will apply only to the articles mentioned in the decree enacting the prohibition. Any of these articles which have not been so specifically prohibited, shall, on being imported into the Ottoman dominions, be subject to the local regulations, unless her Britannic Majesty's embassy shall think fit to apply for a special license, which license will in that case be granted, provided no valid objection thereto can be alleged. Gunpowder, in particular, when allowed to be imported, will be liable to the following stipulations:—1st. It shall not be sold by subjects of her Britannic Majesty in quantities exceeding the quantities prescribed by the local regulations. 2ndly. When a cargo or a large quantity of gunpowder arrives in an Ottoman port on board a British vessel, such vessel shall be anchored at a particular spot to be designated by the local authorities, and the gunpowder shall thence be conveyed, under the inspection of such authorities, to depots or fitting places designated by the Government, to which the parties interested shall have access under due regulations. Fowling-pieces, pistols, and ornamental or fancy weapons, as also small quantities of gunpowder for sporting, reserved for private use, shall not be subject to the stipulations of the present Article.

ART. XVI.—The firmans required for British merchant-vessels, on passing through the Dardanelles and the Bosphorus, shall always be delivered in such manner as to occasion to such vessels the least possible delay.

ART. XVII.—The captains of British merchant-vessels, with goods on board destined for the Ottoman Empire, shall be obliged, immediately on their arrival at the port to which they are bound, to deposit in the custom-house of the said port a true copy of their manifest.

ART. XVIII.—Contraband goods will be liable to confiscation by the Ottoman Treasury; but a report or *procès-verbal* of the alleged act of contraband must, as soon as the said goods are seized by the authorities, be drawn up and communicated to the consular authority of the foreign subject to whom the goods said to be contraband shall belong; and no goods can be confiscated as contraband, unless the fraud with regard to them shall be duly and legally proved.

ART. XIX.—All merchandize, the produce or manufacture of the Ottoman dominions and possessions, imported into the dominions and possessions of her Britannic Majesty, shall be treated in the same manner as the like merchandize the produce or manufacture of the most favoured nation. All rights, privileges or immunities which are now or may hereafter be granted to, or suffered to be enjoyed by, the subjects, ships, commerce, or navigation of any foreign Power in the British dominions or possessions, shall be

equally granted to, and exercised and enjoyed by, the subjects, ships, commerce, and navigation of the Ottoman Porte.

ART. XX.—The present treaty, when ratified, shall be substituted for the convention concluded between the two high contracting parties on the 16th of August, 1838, and shall remain in force for twenty-eight years from the day of the exchange of the ratifications; each of the high contracting parties being, however, at liberty to give to the other, at the end of fourteen years (that time being fixed, as the provisions of this treaty will then have come into full force), notice for its revision, or for its determination at the expiration of a year from the date of that notice, and so again at the end of twenty-one years. The present treaty shall receive its execution in all and every one of the provinces of the Ottoman Empire, that is to say, in all the possessions of his Imperial Majesty the Sultan situated in Europe or in Asia, in Egypt and in the other parts of Africa belonging to the Sublime Porte, in Servia, and in the United Principalities of Moldavia and Wallachia. The Sublime Porte declares that she is ready to grant to other foreign powers who may seek to obtain them, the commercial advantages contained in the stipulations of the present treaty.

ART. XXI.—It is always understood that her Britannic Majesty does not pretend, by any article in the present treaty, to stipulate for more than the plain and fair construction of the terms employed, nor to preclude in any manner the Ottoman Government from the exercise of its rights of internal administration, where the exercise of those rights does not evidently infringe upon the privileges accorded by ancient treaties, or by the present treaty, to British subjects or British merchandize.

ART. XXII.—The high contracting parties have agreed to appoint, jointly, commissioners for the settlement of a tariff of custom-house duties, to be levied in conformity with the stipulations of the present treaty, as well upon merchandize of every description being the produce or manufacture of the British dominions and possessions imported into the Sultan's dominions and possessions, as upon articles of every description the produce or manufacture of the dominions and possessions of the Sultan, which British subjects or their agents are free to purchase in any part of the Ottoman dominions and possessions for exportation to Great Britain or to any other country. The new tariff to be so concluded shall remain in force during seven years, dating from the 1st of October, 1861. Each of the contracting parties shall have the right, a year before the expiration of that term, to demand the revision of the tariff. But if, during the seventh year, neither the one nor the other of the contracting parties shall avail itself of this right, the tariff then existing shall continue to have the force of law for seven more years, dating from the day of the expiration of the seven preceding years; and the same shall be the case with respect to every successive period of seven years.

ART. XXIII.—The present treaty shall be ratified, and the ratifications shall be exchanged at Constantinople in two calendar months, or sooner if possible, and shall be carried into execution from the 1st of October, 1861. Done at Kanlidja, on the 29th day of April, 1861. Signed by Sir HENRY L. BULWER and MEHEMED AALI.

ITALIAN AFFAIRS.

Further Correspondence relating to the Affairs of Italy.

ON the 15th of March, 1860, Count Persigny communicated to Lord John Russell a despatch of M. Thouvenel, making known the intention of France with respect to Savoy and Nice, and showing the need of obtaining guarantees under the new circumstances which placed so large a kingdom very near the frontiers. This despatch was answered by Lord John Russell on the 22nd of March, showing how groundless were the apprehension that Sardinia retaining Savoy might open a passage through that province into France. He further entered into the effect of such an annexation upon Switzerland, and concluded with urging that her Majesty's Government were deeply impressed with the conviction that any territorial advantage which France might gain by the proposed annexation, would be far more than counterbalanced by the distrust with which it will inspire the other States and Powers of Europe.

On the 30th of March, 1860, Earl Cowley sent to Lord John Russell a copy of the Treaty between France and Sardinia, which was ratified by the two Sovereigns.

TREATY.

His Majesty the Emperor of the French having explained the considerations which, in consequence of the changes which have arisen in the territorial relations between France and Sardinia, caused him to desire the annexation of Savoy and of the arrondissement of Nice ("circondario di Nizza") to France, and his Majesty the King of Sardinia having shown himself disposed to acquiesce in it, their said Majesties have decided to conclude a Treaty to this effect, and have named as their Plenipotentiaries: His Majesty the Emperor of the French, Baron de Talleyrand Perigord, &c., and M. Vincent Benedetti, &c.; and his Majesty the King of Sardinia, his Excellency Count Camille Benso de Cavour, &c., and his Excellency the Chevalier Charles Louis Farini, &c.; who, after having exchanged their full powers, found to be in good and due form, agreed on the following Articles:—

ART. I.—His Majesty the King of Sardinia consents to the annexation of Savoy, and of the arrondissement of Nice ("circondario di Nizza") to France, and renounces, for himself and all his descendants and successors, in favour of his Majesty the Emperor of the French, his rights and titles over the said territories. It is understood between their Majesties that this annexation shall be effected without any constraint of the wishes of the populations, and that the Governments of the Emperor of the French and the King of Sardinia will concert together as soon as possible upon the best means of appreciating and verifying the manifestations of those wishes.

ART. II.—It is equally understood that his Majesty the King of Sardinia cannot transfer the neutralized parts of Savoy, except on the conditions upon which he himself possesses them, and that it will appertain to his Majesty the Emperor of the French to come to an understanding on this subject, both with the powers represented at the Congress of Vienna, and with the Swiss Confederation, and to give them the guarantees required by the stipulations referred to in this article.

ART. III.—A mixed commission shall determine, in a spirit of equity, the frontiers of the two States, taking into account the configuration of the mountains and the requirements of defence.

ART. IV.—One or more mixed commissions shall be charged to examine and resolve, as soon as possible, the various incidental questions to which the annexation will give rise, such as the settlement of the share to be contributed by Savoy and the arrondissement of Nice ("circondario di Nizza") towards the public debt of Sardinia, and the execution of the obligations resulting from contracts entered into with the Sardinian Government, which Government, however, reserves the right of itself terminating the labours undertaken for boring the tunnel of the Alps (Mont Cenis).

ART. V.—The French Government will secure to the civil and military functionaries belonging by birth to the province of Savoy and to the arrondissement of Nice ("circondario di Nizza"), and who shall become French subjects, the rights due to them on account of the services rendered by them to the Sardinian Government: they shall especially enjoy the advantages resulting from the permanency of the magisterial appointments, and from the guarantees ensured to the army.

ART. VI.—Sardinian subjects natives of Savoy and the arrondissement of Nice, at present domiciled in those provinces, who shall desire to preserve their Sardinian nationality, shall enjoy, during the space of one year from the date of the exchange of the ratifications, and provided that they make a previous declaration to the competent authority, the right of transporting their domicile into Italy, and of fixing it there, in which case the character of Sardinian citizen shall be continued to them. They shall be free to retain their immoveable property situated in the territory annexed to France.

ART. VII.—As concerns Sardinia, the present treaty shall be in force as soon as the necessary legislative sanction shall have been given by parliament.

ART. VIII.—Provides for the ratification.

The treaty was signed on the 24th of March, 1860, by Baron Talleyrand and M. Vincent Benedetti, for France; and by Count Cavour and Cavalier Farini for Sardinia.

THE KING OF ITALY.

Correspondence respecting the Assumption of King Victor Emmanuel of the title of "King of Italy."

ON the 19th of March, 1861, the Marquis d'Azeglio sent a note to Lord John Russell, to the following effect:—

London, March 19, 1861.

MY LORD,—The national parliament has voted, and the King my august sovereign has sanctioned, the law by virtue of which his Majesty King Victor Emmanuel II. assumes for himself and for his successors the title of "King of Italy." Thus constitutional legality has hallowed the work of justice which has restored Italy to herself. From this day forward Italy asserts loudly in the face of the world her individual existence. She solemnly proclaims the right which belongs to her to be free and independent, a right which she has supported on the fields of battle and in the

councils of Europe. England, who has owed, and who owes, her prosperity to the application of the same principles that guide us, will, I am convinced, see with favour a nationality to which the people of the United Kingdom have manifested such generous sympathies, constitute itself in an official manner and obtain its recognition in Europe. I am charged by the King's government to notify officially this memorable event to your Excellency, in your quality of principal Secretary of State for Foreign Affairs of her Majesty the Queen of the United Kingdom of Great Britain and Ireland. This great fact has an importance which your Excellency will readily appreciate. The experience of the past permits me to hope that the communication which I have the honour to make to you will occasion to your Excellency, as well as to your colleagues, the same satisfaction that I have in addressing it to you.

In answer to this communication, Lord John Russell, on the 30th of March, 1861, stated that, acting on the principle of respecting the independence of the nations of Europe, her Majesty will receive the Marquis as the Envoy of Victor Emmanuel II., King of Italy.

ANNEXATION OF SANTO DOMINGO TO SPAIN.

Papers relating to the Annexation of Eastern Santo Domingo to Spain.

ON the 13th April, 1861, Lord John Russell received a despatch from Consul Hood, dated Santo Domingo, March 21, relating the cession of the Republic to Spain. Negotiations had been carried on for some time respecting the possibility of a Spanish protectorate, when, on the 18th March, the Spanish flag was hoisted on the fort, and the Dominican flag soon disappeared. A proclamation was then issued, and a communication of the transaction was sent to the British Consul. The proclamation was as follows:—

PROCLAMATION.

DOMINICANS,—It is not many years since my voice, always loyal, always consistent, and while presenting to you the reform of our political Constitution, reminded you of our national glory inherited from the great and noble race to which we owe our origin.

When I then made so strong a manifestation of my sentiments, I believed that I faithfully interpreted yours, and I did not deceive myself; my conduct was always traced out, but yours has exceeded my hopes.

Numerous and spontaneous popular manifestations have reached me; and if yesterday you invested me with extraordinary powers, to-day you yourselves are anxious that what your loyalty always desired should become a truth.

Religion, language, customs, are all preserved with purity, not without there having been some who have endeavoured to rob us of such precious gifts; and the nation which has given us so much is the same which now opens to us her arms like a fond mother who recovers her son, lost in the wreck in which he sees his brothers perish.

Dominicans! the ambition alone and the revenge of one man separated us from the mother-country; a few days after the Haytians ruled our territory; our valour drove them from it; and the years which have passed since then have been very eloquent for all.

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Shall we allow to be lost the elements with which we now reckon, so dear to us, but not sufficiently strong to ensure our future nor that of our children?

Before such a thing should occur; before we see ourselves like those other unhappy republics, involved constantly in civil wars, sacrificing in them valiant generals, statesmen, numerous families, large fortunes, and a multitude of unhappy citizens, without finding the means of constituting themselves in a solid and strong manner; before such a day should arrive, I, who watched always for your security; I, who assisted by your valour, have defended inch by inch the ground on which we stand; I, who know how imperious are your wants, see what I offer you in the Spanish nation! see what she concedes to us!

She gives us the civil liberty which our people enjoy, guarantees natural liberty, and removes for ever the possibility of losing it; she ensures our property, recognizing as valid all the acts of the Republic: she offers to attend to and reward merit, and will bear in mind the services rendered to the country; she, in fine, brings peace to this soil so harassed, and with peace, its beneficent consequences.

Yes, Dominicans! henceforward you will rest from the fatigues of war, and you will occupy yourselves with untiring energy in working out the future of your children.

Spain protects us; her flag covers us; her arms will impose upon strangers; she recognizes our liberties, and together we shall defend them, forming one sole people, one family, as we always were: together we will prostrate ourselves before the altars which that nation may build; before those altars which she will now find as she left them, intact, safe, and still crowned with the shield of her arms, her castles, and lions; the first standard which, beside the Cross, Columbus erected in these unknown lands, in the name of Isabel I., the Great, the Noble, the Catholic; an august name, which the present Sovereign of Castile inherited, inheriting at the same time the love of the inhabitants of the Island of Hispaniola. Let us hoist the flag of her monarchy, and proclaim her as our Queen and Sovereign. Long live Isabel II.! Viva Liberty! Viva Religion! Viva the Dominican People! Viva the Spanish Nation!

Santo Domingo, March 18, 1861.

(Signed) SANTANA.

An account of the transaction was also sent by M. Edwardes from Madrid, enclosing a copy of the "Correspondencia," containing the following act of annexation of St. Domingo to Spain:—

In the most noble and loyal city of Santo Domingo, the 18th of March, 1861.

We, the undersigned, assembled together in the hall of the Palace of Justice of this capital, declare that, by our free and spontaneous will, in our own name and in the name of those who have empowered us to do so for them, we solemnly proclaim the illustrious Princess Isabel II. to be our Queen and Sovereign, in whose hands we depose the sovereignty which we have hitherto exercised as members of the republic of Santo Domingo. We equally declare that it is our free and spontaneous will, as well as that of the people, whom we represent by our presence in this hall; that the whole of the territory of the republic should be annexed to the Crown of Castille, to which it belonged before the treaty of the 18th of February, 1833, by which her Catholic Majesty acknowledged as a sovereign State

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that which, by the spontaneous will of its whole population, restores this sovereignty to her, as is above expressed, and recognizes her as its legitimate sovereign.

In faith of which we have signed and sealed these presents.

(Signed) PEDRO SANTANA, ANTONIO A. ALFAN, JACINTO DE CASTRO,
FELIPE FERNANDEZ D. DE CASTRO.

In answer to these communications Lord John Russell, on the 14th May, sent the following despatch:—

Foreign Office, May 14, 1861.

It is for the Spanish Government to weigh in the balance of their judgment the advantages and inconveniences which may arise from the annexation of the territory of the Dominican State to the dominions of Spain, and any opinion which her Majesty's Government may form on the subject can be founded on no other consideration than a regard for what they may look upon as the real and permanent interests of Spain.

Her Majesty's Government would, no doubt, have felt a strong and decided dissatisfaction at the proposed annexation, if it had been likely to lead to the introduction of slavery into a community which is free from the taint of that pernicious institution; but the formal and repeated declarations of Marshal O'Donnell, that under no circumstances will slavery be introduced into the Dominican territory, have removed the main cause which would have led her Majesty's Government to view the proposed annexation with dislike and repugnance.

Her Majesty's Government certainly apprehended, when first this projected annexation was talked of, that it might, if carried into execution, involve Spain in unfriendly discussions, if not in conflict, either with France or with the United States, or with both. With regard to France, her Majesty's Government have not learnt that the French Government has expressed any positive objection to the proposed arrangement, although she may not think it advantageous to Spain. It appears, also, from what has been stated to you, that there is no probability at present of any positive resistance to the measure, either by the Northern or the Southern Confederation of North America. But the Spanish Government should not too confidently rely on the permanent continuance of this indifference or acquiescence on the part of the North Americans; and it is not impossible that when the civil war which is now breaking out shall have been brought to an end—an event which may happen sooner than at present appears likely—both the North and the South might combine to make the occupation of the Dominican territory by Spain the cause of serious difference between the North American Governments and that of Spain.

Her Majesty's Government do not deny that Great Britain, as a Power naturally inclined to peace, and systematically addicted to commerce, must always view a war between any two Powers as an event not only at variance with her principles, but to a certain degree injurious to her interests. But with respect to Spain, the motives of the British Government spring from far higher sources. Great Britain and Spain have for long periods of time, and in circumstances of high moment to each, been faithful and active allies; their alliance has been greatly useful and eminently honourable to both. It is a fundamental maxim of British policy to wish well to Spain, and earnestly to desire her welfare and prosperity; and, therefore, any combination of events which might at any time

involve the possibility of Spain being engaged in a conflict which, from local circumstances and disadvantages, might be in the end seriously injurious to her rule over her ancient possessions, would be viewed by her Majesty's Government with lively apprehension and sincere regret.

On the 25th May, 1861, Lord John Russell received from M. Edwardes an extract from the official *Gazette*, containing a royal decree for the recognition of Santo Domingo into the Spanish dominions. This decree was preceded by a letter from General Santana to her Catholic Majesty, as well as by an address from the Council of Ministers to the Queen, in which they engaged themselves not to re-establish slavery; but made no allusion to the other conditions upon which the annexation was offered.

ROYAL DECREE.

In consideration of the reasons which have been laid before me by my Council of Ministers, and acceding with the most heartfelt pleasure to the wishes of the Dominican people, of whose affection and loyalty I have received so many proofs, I hereby decree as follows:—

ART. 1. The territory which constituted the Dominican Republic is reincorporated with the Monarchy.

ART. 2. The Captain-General, Governor of the Island of Cuba, shall prescribe, in conformity with the instructions of my Government, the requisite measures for the carrying out of this decree.

ART. 3. My Government shall give account to the Cortes of the present decree and of the measures adopted for its fulfilment.

Given at Aranjuez, the 19th of May, 1861.

(Signed by the royal hand.)

(Countersigned)

LEOPOLDO O'DONNELL,

President of the Council of Ministers.

On the receipt of this document, Lord John Russell wrote to M. Edwardes that Her Majesty was glad to see in the Address, the words, "Slavery, which is a necessity in other provinces, is not requisite for the cultivation of that fertile soil, and your Majesty's Government will not re-establish it." Her Majesty's Government relied on the force of those clear and plain terms as a pledge that slavery will never be introduced into San Domingo.

RECRUITING.

Report of the Commissioners appointed to inquire into the present System of Recruiting in the Army.

THE commission was issued on the 23rd of March, 1859, to Major-General Baron Hotham, Colonel Sir Alexander Murray Tulloch, Major-General William Frederick Forster, Colonel David Russell, Colonel John Thomas Leslie, Colonel John George Smyth, and Peter Blackburn, Esq., one of the Lords Commissioners of the Treasury, and they were instructed to inquire into the present system of recruiting the army, with the view of suggesting such changes in the existing regulations and organization of the recruiting department as may tend to facilitate the raising of men in a more expe-

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ditions, satisfactory, and economical manner, and to prevent desertion, and fully and carefully to consider these important subjects, and all matters relating thereto, which might appear to them to be necessary.

On the 30th June, 1860, the commissioners reported as follows:—

We, your Majesty's commissioners appointed "to inquire into the present system of recruiting your Majesty's army, with the view of suggesting such changes in the existing regulations and organization of the recruiting department as may tend to facilitate the raising of men in a more expeditious, satisfactory; and economical manner, and to prevent desertion," have carefully investigated these subjects; and we now do most humbly report as follows:—

Before we submit to your Majesty our opinion on the several matters which have come under our consideration, we deem it right to advert, briefly, to the fact that the ranks of the British army can only be filled by voluntary enlistment. Even in the militia, whose duties are generally limited to the defence of their native country, it has not been considered expedient, of late years, to make service compulsory. In this respect the British so widely differs from all other European armies, that we can draw no conclusions from any of their systems, nor refer to their experience in aid of our own.

Though well aware that, in consequence of the facilities of transit by steam vessels and railroads, the commencement of contests between nations will be more sudden, and their duration, owing to the more certain effect of the destructive agencies now employed, more limited than has hitherto been the case, and that it is, in a corresponding degree, essential to success to have the means of rapidly augmenting an army so as to admit of large bodies of men being brought at once into the field, we consider it beyond our province to suggest any innovation on the principle of voluntary enlistment, or any change unsuited to the habits and feelings of our population.

We can, therefore, only expect to get recruits from among those few who may, naturally, have a predilection for a soldier's life, or those who may be induced to adopt it either for domestic reasons, or when, by the fluctuations of trade, or the adverse influence of the seasons on agricultural operations, they are deprived of other employment: our recommendations must, in consequence, be chiefly confined to the removal of any obstacles which may hitherto have impeded this mode of recruiting, and to the suggestion of such arrangements for the benefit of the soldier, as we think calculated to render the service more attractive.

We adopt this course, however, with the full conviction that, except during periods of great depression in our manufacturing or agricultural interests, such a mode of recruiting must necessarily be very slow in its operation, compared with the means by which other European armies are created or augmented on any emergency. It will sufficiently illustrate this to state that, although authority was given, nearly three years ago, in consequence of the mutiny in India, to raise an additional number of 65,000 men, and although in order to facilitate that operation the bounty was increased, and the standard—as is unavoidable when so many men are required—was lowered to such an extent as to bring boys instead of men into the ranks, the establishment of the army is not yet quite complete. In considering, therefore, the reductions which in time of peace are so often advocated on financial grounds, we trust it will always be borne in mind

that a force should never be lightly parted with, which, even on the greatest emergency, requires so much time to raise.

ORGANIZATION OF THE RECRUITING DEPARTMENT.

According to the present system, the agencies employed in raising recruits for your Majesty's army are as follows:—

1. Regiments and depôts recruit at their head-quarters. 2. The United Kingdom is divided into districts, each of which is placed in charge of an inspecting field officer; and every district is divided into subdivisions, under the superintendence of subalterns detached from their regiments on this duty for two years, and having charge of parties consisting of non-commissioned officers and privates sent from their regiments to raise men for their own and for other corps. 3. The permanent staff of disembodied regiments of militia recruit for the army generally, under the superintendence of their adjutants, acting also as subdivision officers. 4. Selected out-pensioners recruit for the army generally. They are under the superintendence of their respective staff officers, who, for this duty, act as subdivision officers. The staff officers of pensioners are officers taken from the half-pay list, for the payment and organization of the out pensioners. 5. Commissions have been granted, from time to time, to officers of the militia in consideration of their bringing certain numbers of their men to the regular army; also to gentlemen who raised bodies of men. 6. The rank of regimental lieutenant-colonel was also given, during the mutiny in India, to persons holding, or who had held, the rank of field officer in the army, in consideration of their raising battalions of one thousand men; all the ensignies, in each case, being placed at their disposal, in addition to the usual levy money paid by the public.

This last mode of raising men has been found liable to great objection, but having been resorted to only in a time of great emergency, we refrain from making any comments thereon. In the employment of all these agencies, the superior control over the recruiting of the army is vested in your Majesty's adjutant-general, assisted in this duty by the inspecting field officer of the London district, who acts, under the adjutant-general, as superintendent of recruiting.

We find that in August and December, 1857, it was determined by your Majesty's Government to require the aid of the militia, and of the pensioners, to raise men for the regular army, in order to meet the then existing "emergency." We readily admit that in times of emergency it may be necessary to have recourse to every available means, by which recruits are likely to be obtained. But the crisis of 1857 has now, happily, passed away, and we have therefore applied ourselves to a consideration of the best mode of recruiting your Majesty's army under the ordinary circumstances of the country.

We are of opinion that the legitimate system of recruiting the army is by its own members, a system which has been hitherto successful, and is capable of expansion and contraction as circumstances require; and we recommend—

1. That the recruiting service should continue under the orders and control of the adjutant-general, and that all reports be made exclusively to him. 2. That regiments and depôts should continue to recruit at their head-quarters, as at present. 3. That recruiting by means of the adjutants and staff of militia regiments should cease, and that all pensioners employed on that duty should be made subject to the Mutiny Act. 4. That inspecting field officers should be employed as at present; but we consider that the number of such officers might, with advantage, be revised from time to time, as the amount of recruiting necessary for the maintenance of the army increases or diminishes. 5. That each inspecting field officer should have an adjutant; but that the present system of allowing district adjutants to act as subdivision officers should be discontinued. It has been suggested that it would be advantageous to the service that the rank and position of district adjutants should be improved, by placing them on the same footing as the adjutants of depôt battalions; in which suggestion we concur, so far as regards those of some of the more important districts. 6. That subdivision officers should continue to be employed, and that each subdivision officer ought to have the entire control over all the recruits in his subdivision. Officers of

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experience and good service from the half-pay list would, in our opinion, be best adapted to this duty; and we think that they should be permanently employed, instead of being removed every two years. The experience and previous service of such officers would afford a guarantee for their ability to carry out this duty satisfactorily; and as their continuing to hold those appointments would mainly depend upon their efficiency and success as recruiting officers, they would have an inducement to greater zeal and exertion than can be expected from regimental officers, removable every two years. Their habits would be more settled than those of regimental subalterns;—being longer resident in their several localities, they would become known to the relatives and friends of the class from which the army is supplied;—and the experience gained by them in recruiting would become more and more valuable to the State; while, on the other hand, officers would not be withdrawn from their regimental duties for the purpose of recruiting. 7. That regimental sergeants be employed as heretofore,—to be selected specially for this duty, and not to be removable unless on the application, or with the consent, of the inspecting field officer. 8. That privates be employed as little as possible on this service. We believe that the duty now performed by privates may, for the most part, be equally well done by pensioners, and thus a large number of men at present employed as recruiters might return to their regimental duties. 9. We find that your Majesty's household troops, both cavalry and infantry, recruit for themselves; and we have no other change to recommend in their arrangements than that the recruits of the brigade of Foot Guards should be forwarded to their head-quarters with as little delay as practicable after enlistment.

ENLISTMENT.

Period of Service.—With regard to the period for which recruits are enlisted, it may not be out of place to lay before your Majesty a short outline of the several terms of service, which have at different times been prescribed. During the last century, and for the first few years of the present, the engagement entered into by the recruit was for life. Practically, its duration was about twenty-one years in the infantry, artillery, and other ordnance corps, and about twenty-four years in the cavalry, as men were usually discharged after completing those periods in the several branches of the service. In 1806 an act was passed fixing the periods of enlisting as follows:—

First period of enlisting—In the infantry 7 years, in the cavalry 10 years, in the artillery 12 years. Men willing to engage for a second period of service re-enlisted—In the infantry for 7 years, in the cavalry for 7 years, in the artillery for 5 years. Men willing to engage for a third period of service re-enlisted—In the infantry for 7 years, in the cavalry for 7 years, in the artillery for 5 years.

No man was allowed to re-enlist except in his own regiment. Commanding officers abroad might extend the period of service for six months; and the Sovereign might extend it until six months of continuous peace had elapsed: provided such extension of service did not, in any case, exceed three years, nor, in the last period of enlistment, six months. The previous system of enlistment for life continued in operation concurrently with this system of limited enlistment and re-engagement; but as a larger bounty was given to men who enlisted for life than to those who enlisted for limited periods, the latter system gradually fell into disuse, and was abolished by order of the General Commanding-in-Chief in 1829. The terms on which recruits were engaged to serve in the army remained on this footing until the year 1847; when an act was passed, abolishing enlistment for life, and substituting, in lieu thereof, the system of limited enlistment now in force in your Majesty's army.

The periods under the act of 1847 are as follows:—First period of enlistment—In the infantry, 10 years; in the cavalry, or artillery, or other ordnance corps, 12 years. Re-engagement, or second period of enlistment—In the infantry for 11 years; in the cavalry, artillery, or other ordnance corps, 12 years.

This act was amended in July, 1849, and the period of re-engagement in the artillery or other ordnance corps was altered from 12 to 9 years. Soldiers serving on any foreign station, at the time when either their first or second term of limited service expires, may be retained for such further time, not exceeding two years, as the commanding officer on such foreign station may direct. Soldiers desirous, at the expiration of their re-engagement, to remain in the service, may, on being approved by their commanding officer, or other competent military authority, be retained until the expiration of three calendar months after they shall have given notice to their commanding officers of their wish to be discharged. In the year 1855, during the war with Russia, an act was passed, making it lawful for any person to be enlisted for any such period, not exceeding 10 years in the infantry, or 12 in the cavalry, artillery, or other ordnance corps, as might be authorized by any order of your Majesty in Council; and enacting that any soldier might re-engage for such term of service as might by such order be authorized, provided the term for which he so engaged, together with the term of his service under his first enlistment, did not exceed the period of 21 years in the infantry and artillery, or other ordnance corps, or 24 years in the cavalry. The duration of this act was limited to three years. It was renewed in 1858 for a further period of three years; but the renewed act has never yet been brought into operation, in consequence of the requisite order in council not having been issued. Considering that the act of 1847 only began to take effect, as regards discharges, in 1857, in the infantry, and in 1859, in the cavalry, artillery, or other ordnance corps, and that, in consequence of the Indian Mutiny, it was found necessary to prolong, for two years, the service of all those men who, while serving abroad, had completed the time for which they had enlisted, it appears to us that no opinion can yet be formed regarding the general effect of this act—the extent to which regiments may be affected by its operation—or the expense of bringing home from foreign or colonial service those who may take their discharges, and of sending out others to replace them. Nor, on the other hand, have we been able to come to any conclusion as to the probable saving to the pension list that may result from limited enlistment, under which no pension can be obtained for service alone, except in cases of re-engagement. It is, however, clear that a soldier taking his discharge at the end of ten years quits the army at a time when he is highly valuable, and when he is, under ordinary circumstances, fully capable of rendering good and efficient service for at least five or six years more. Much evidence has been given on this subject, to which, with regard to the efficiency of your Majesty's service, great weight attaches. When we consider the difficulties with which the recruiting service in this country has at all times to contend, and the increased demands upon it which the wants of that portion of your Majesty's army stationed in India will create, we see no reason why enlistment for one period only should be allowed. It has been stated that individuals have, in some instances, been deterred from enlisting for 10 years in the infantry or 12 in the cavalry, by the fear of being discharged at the end of those periods without a pension; and as we are led to believe that the certainty of a pension at the end of 16 or 18 years, coupled with the prospect afforded by a recent royal warrant, of getting a third good conduct badge at the end of 13 years, would operate as an inducement to enlist for the longer period, we are disposed to recommend the expediency of so arranging the terms as to give to those, who may prefer it, the option of

enlisting for 16 years in the infantry, and for 18 years in the cavalry, artillery, or other ordnance corps, with a right, on the termination of such service, to a pension, retaining also their good-conduct pay, but without receiving any larger bounty than that given to men enlisting for the shorter periods. As the present rate of pension, for a service of 21 years is only 8*d.*, we feel ourselves precluded from recommending for a service of 16 years a higher rate of pension than 5*d.* a day. It is said that, generally speaking, recruits, and especially infantry recruits, care very little what regiment they join, except in cases where they have relatives or friends in any particular corps. In our opinion it would be very undesirable to interfere in any way with the right, hitherto allowed to every recruit, of choosing his own regiment; but we think that, in the absence of any such choice, it would be of advantage to the service if men were enlisted for the army generally—to be posted by the adjutant-general, as the requirements of different regiments might render necessary—but not to be liable to any future removal.

Limited Enlistment Act.—Though we feel ourselves precluded, as we have already stated, from offering any opinion to your Majesty on the general effect of the Limited Enlistment Act, we think it necessary to bring to your Majesty's notice one very important consequence of it, which appears to require an immediate remedy. By the War Office Regulations of 1848 (page 232), a soldier re-enlisting is entitled, under certain conditions, to reckon all his previous service, provided that re-enlistment takes place within six months (since extended to two years), after completing his first period. That act having then only recently passed, it does not appear to have been sufficiently taken into consideration that by such a boon a positive inducement is held out to all soldiers serving abroad to decline to re-engage at their regiments, because they can have their passages paid home from a foreign station, draw pay without doing any duty for several months while on their way, visit their friends at the public expense, and if they find no other employment, re-enlist with nearly the same advantage, in respect of reckoning past service, as if they had continued with their regiments in a remote colony. Such a contrast in the relative advantages is obviously not calculated to induce men to remain with their regiments, an object which, considering the very large proportion of the British force serving abroad, is most desirable, with the view of checking the enormous expense which limited enlistment would otherwise create. The prospective saving of pension after ten or twelve years' service would, probably, in most cases, be more than sufficient to cover the cost of sending home any who declined re-engaging, and of providing others in their stead; and no doubt this was originally taken into consideration; but if the soldier is allowed to put the public to this expense in the first instance, and then, by re-enlistment at his own convenience, within any prescribed period, to recover all his former rights, this saving must, in a great measure, prove a fallacy. We are fully aware of the value to be attached to well-trained soldiers, who have long been habituated to a military life; but if the present regulation is framed with the view of recovering the services of such men to the army, it is likely to defeat its own object, by holding out temptations, in the first instance, to leave their corps, which few men of unsettled habits can resist; and, when once they have been induced to do so, we feel convinced that few will be recovered to the service compared with those who would be likely to re-engage at their regiments, if they knew that to be the only way by which they could retain

the benefit of their previous service, so far as regarded pay and pension. We, therefore, recommend that a soldier, who has declined to re-engage for his own regiment on or before the expiration of his first period of service, should never be permitted to reckon his previous service on re-enlistment, but that he should be considered, in every respect, as a new recruit. It is only after this restriction has been established, that it will be possible to judge of the effect of limited enlistment on the ranks of the army, for at present there is obviously an inducement to leave it, which is not the effect of the enactment itself, but of a regulation scarcely consistent with its provisions.

Course of Procedure on Enlistment.—The receipt of enlisting money is held to constitute enlistment. The course then pursued with a recruit is as follows:—After medical examination, he is, in pursuance of a notice previously served on each recruit, taken before a justice of the peace within ninety-six hours, but not sooner than twenty-four hours, after enlistment. The justice of the peace is required by the Mutiny Act to put a long series of questions, separately, to the recruit, and after recording his answers, and taking his declaration thereto, he reads the two articles of war on mutiny and desertion, and administers to him the oath of allegiance. The recruit is then forwarded for final approval. Should he not have been medically examined, in the first instance, by the staff surgeon of the district in which he enlisted, he is examined by that officer prior to final approval; and, on joining his regiment or dépôt he is again medically examined. A recruit enlisted at the head-quarters of a regiment or dépôt is medically examined but once, namely, by the medical officer of his corps; a recruit enlisted at the head-quarters of a recruiting district is medically examined twice, namely, once by the district staff surgeon, and again by the medical officer of his corps. A recruit enlisting at a recruiting out-station is medically examined three times; namely, first at the place of enlistment by a military medical officer, if available, or by a private medical practitioner; secondly, by the district staff surgeon at the head-quarters of the district; and, thirdly, by the medical officer of his corps. After each medical examination that the recruit passes, he is forthwith submitted for approval, either intermediate or final, to the subdivision officer, the inspecting field officer of the recruiting district, or the officer commanding his corps, according to the circumstances of enlistment in each case.

Form of Attestation.—It appears to us that there is much force in the objections that have been urged against the present form of attestation. The recruit is required to declare before the justice of the peace to many questions, regarding which it is unnecessary, and to some extent inexpedient, that he should be called upon to make any declaration; and the justice is enjoined to read to him extracts from the Articles of War, which are not understood by a great portion of recruits, and which add considerably to the labour of attesting them, when brought up in large numbers. We think that a distinction should be drawn between those questions in the form of attestation, which are merely necessary to be answered, as a matter of information, and those more important ones, which indicate the willingness of the party to become a soldier. To secure legal proof that the questions have been put to the recruit, and that the answers recorded are those given by him, it will be expedient that his signature thereto should be witnessed by some credible person; such person being, wherever practicable, one of the party who enlisted him. We are of

opinion that the direction for the articles of war, regarding mutiny and desertion, to be read over to the recruit, should be rescinded; and that a note should be put on the form of attestation stating the penalties attaching to desertion. The certificate of the attesting justice might then be dispensed with; and the signatures to the form of attestation would thus be reduced to four, namely, one of the magistrate, two of the recruit, and one of the witness. It further appears to us that the question relative to the recruit's state of health is unnecessary, especially when it is considered that he has already passed a medical examination previous to being brought up for attestation.

Mode of reckoning Service.—In consequence of the regulation prohibiting soldiers from deriving any benefit from their service prior to attaining the age of eighteen, much fraud is practised by recruits overstating their age, in order to evade the above regulation. With a view, therefore, of removing every inducement to recruits to make false statements of their age when they enlist, we recommend that the service of a soldier, with reference to his acquiring good conduct pay and pension, should reckon from the date of his attestation, it being presumed that the vigilance of the medical officer and of the inspecting field officer will be sufficient to prevent any one being passed into the service who is manifestly unfit for the duties of a soldier. This recommendation, however, is not intended to apply to the cases of boys enlisted as such.

Enlistment of Boys.—Our attention has been directed to the subject of training,—at the Royal Military Asylum at Chelsea, and the Royal Hibernian School at Dublin,—of boys, the children of soldiers, for service in the army, as musicians. It appears, by a return which has been obtained, that the number who have volunteered from those institutions is very small, especially from the Royal Military Asylum at Chelsea. While we are of opinion that the country is properly called upon to provide for the orphans of soldiers, to the extent of maintaining them in their youth, and of giving them a good education,—and while we are far from wishing to deprive the soldier of any advantages which he now possesses in this respect,—still we consider that the State has some claim on the future services of those who have been thus brought up and educated at the public expense, especially as the training they had received at these institutions is so well calculated to teach them the habits of good soldiers. We would, therefore, suggest, that some arrangement should, if possible, be made to render these institutions far more available than they are at present for the supply of recruits to the army.

Medical Examination.—It is shown by the returns which have been furnished to us that the number of recruits rejected for medical reasons is very great. Objections have been stated to the frequency of these rejections, as tending to discourage recruiting; but it appears to us that, for an army liable to such service in all climates as the British, recruits cannot be too carefully selected. A reference to the proportion of recruits rejected in the French army, which is raised by conscription, as well as in the army of the United States of America, raised, like your Majesty's army, by voluntary enlistment, seems equally to warrant the inference that there has been no more strictness in your Majesty's service than is requisite in this respect,—the proportion rejected for physical defects being in the former 334, and in the latter 389, per thousand of all enlisted; whereas, on the average of the last two years, it has not exceeded in the British service 355 per thousand.

As there is no reason to believe that the mass of our population are less subject to the operation of causes disqualifying them for military service than that of other nations, we do not feel disposed to recommend any relaxation of the ordinary regulations in this respect. Indeed, the complaints of the inferior description of men brought into the service during the pressure for recruits would rather indicate the necessity for more caution, particularly in an army which, being usually kept to the lowest numbers, should obviously be of the best description. It has been suggested that men offering to enlist should be taken before a medical officer or civil surgeon, and examined, prior to enlistment, so as to have the guarantee of the surgeon that the recruit was sober. But we do not consider that this arrangement would be successful in practice, as, generally speaking, the men would not go up for examination unless they had first received the enlisting money; and, although the measure might be attended with advantage to the recruiters, by obviating the necessity for making this payment to men, who may ultimately prove unfit, or who may abscond, the army might thereby lose men who would otherwise enlist.

The best Period of the Year for Recruiting.—It appears, by a return furnished to us, that the winter months are usually those in which recruits, particularly from the agricultural classes, are most readily obtained. On this account we submit to your Majesty that recruiting should never be suspended at that season, even though the establishment of the army may nominally be complete, or even slightly in excess; because the casualties reported in a few months from foreign stations are almost certain to absorb the overplus, or, if not absorbed, the required reduction might be attained a few months later by the suspension of recruiting during the summer, when the abundance of employment for agricultural labourers prevents any number of that class from presenting themselves. Except by this arrangement, and by making known as extensively as possible through all rural districts the nature and advantages of the service, we are not aware of any measure by which a larger proportion of the agricultural recruits can be obtained.

Employment and Payment of Bringers.—The evidence on the subject of bringers has been very conflicting. Some witnesses are of opinion that bringers should be done away with; others that they should be recognized. Some think that the payment of bringers should be fixed by regulation, as at present; others, that the employment of bringers, and the amount to be paid to them, should be left at the option of the enlisting party to whom the recruit is brought. After weighing these various opinions, we are not disposed to recommend any change in the existing system.

Smart Money.—Any recruit, having received enlisting money, may, prior to his attestation, be released from his engagement on payment of 1*l*., known as "smart." Of this sum, the party, by whom the recruit has been enlisted, gets one-fourth, and the remainder is carried to the credit of the public. This arrangement seems to press unfairly on recruiting parties, who have often to expend more than 5*s*. in the enlistment of a recruit; and we therefore recommend that in future the portion of the smart money to be allowed to the enlisting party be one-half, or ten shillings; and that the remaining half be credited to the public, subject to the charges for medical examination and the fee of the magistrate's clerk, when such charges are necessarily incurred.

Allowances to Subdivision Officers.—It has been represented to us that

disadvantage arises from the low rates of the allowance granted to subdivision officers on the recruiting service, to cover the expense of visiting their parties; and that these rates not being sufficient, this duty is not performed so frequently as it ought to be. We recommend that, in order to ensure the inspection, by subdivision officers, of all the recruiting parties under their charge at detached stations at least twice in every month, the allowance for visiting such stations be fixed at 6*d.* a day for each detached station, up to a maximum of 5*s.* a day; care being taken that the duty, for which this allowance is granted, is regularly performed.

Enlistment of Men from the Militia.—Our attention has been called to the 64th clause of the Militia Act of 42nd Geo. III. cap. 90, under which penalties are imposed for knowingly enlisting into the army any man belonging to the militia. It appears to us that this act, passed at a time when the militia was kept up by means of the ballot, is not applicable, as far as this clause is concerned, to the present system of voluntary enrolment in that force. We therefore recommend that the clause of the Militia Act above referred to be repealed, and that it be made lawful for any man, belonging to any regiment of militia—except during any period when such regiment shall be embodied for permanent service or assembled for training and exercise—to enlist as a soldier into your Majesty's regular army, or into the Royal Marines, or into your Majesty's Indian forces; and that the notification of any such militia regiment, in which the man may be enrolled, that he has been finally approved as a recruit, shall be deemed a valid and sufficient release from his engagement in the militia; but that if such man shall not have undergone one full training, or shall not have been enrolled for a period of at least six months, he shall repay out of his line bounty the expenses attending his enrolment in the militia. Having no authority, under your Majesty's commission, to investigate the state and condition of the militia of the United Kingdom, we are unable to determine to what extent that force may be made available in recruiting your Majesty's army. But we can have no hesitation in recording our deliberate conviction that on the completeness and efficiency, both numerical and physical, of the militia, the value of any reliance upon its usefulness for this purpose must entirely depend.

DESERTION.

We have endeavoured to obtain the fullest information on this important subject, affecting, as it does so seriously, not only the efficiency, but also the reputation of your Majesty's army. We have been furnished with returns of the number of desertions for several years past; but more particularly of those during the two years 1858 and 1859. It appears, by a return laid before Parliament, that the desertions in the year 1858, amounted to upwards of 20,000. But as the circumstances of the army during that year were so exceptional, by reason of the sudden raising of two new regiments of cavalry and fifteen new battalions of infantry, together with an augmentation of the establishment of existing regiments, involving altogether an increase of upwards of 65,000 men, we consider it unsafe to form any general conclusions from the number of desertions that took place in that year. It must, however, be observed that a large proportion of the desertions will be found to consist of men repeating the offence for the sake of obtaining fresh bounties.

The year 1859 has been much less affected by any such extraordinary measures for the increase of the army; and we have therefore deemed it

safer to proceed on the data afforded by the returns for that year, which show the number of desertions to have been 11,328; but we find, on investigation, that desertion is mainly confined to certain localities, and to the earliest periods of the soldier's career. As regards locality, it appears that desertion is almost wholly confined to the United Kingdom, and the North American and Australian colonies, which offer great facilities and inducements to desert. At the two last named stations, forty-two men are lost annually, in this way out of every thousand; at other stations, such as India, the West Indies, and the Mediterranean garrisons, desertion is very rare indeed, the proportion lost, annually, being little more than one per thousand. As regards the period at which desertion is most frequent, we find that of the men returned as deserters in the year 1859, a very large proportion consisted of young soldiers and of recruits who had not joined their corps. Thus out of 11,328 returned as deserters from the entire army, the deserters between enlistment and attestation, commonly called "absconded recruits," numbered 2,482; those who deserted after being attested and before joining their corps numbered 2,516; those who deserted after joining their corps and before serving six months numbered 2,820,—leaving only 3,510 men who can fairly be considered as having deserted after becoming trained soldiers; and of these it must be borne in mind that a large number were ultimately recovered to the service. From a consideration of these facts we think that it would be advisable to place any man, who has been convicted of desertion, more completely at the disposal of the military authorities than he is at present, in order that he may be sent to such station as may hold out the least facilities for a repetition of the offence.

We therefore recommend that the 36th clause of the Mutiny Act, which makes any recruit who shall desert before joining the regiment or corps for which he has enlisted liable to be transferred to any regiment or corps which your Majesty may think proper, be made to extend to all deserters, and that any man who shall desert after joining his corps, may, on conviction, be held liable to be transferred to any other corps of the same arm of the service as that from which he deserted. The 26th clause of the Mutiny Act provides that, on the first and on every subsequent conviction for desertion, the court-martial, in addition to any other punishment, may order the offender to be marked with the letter D. We are of opinion that this is one of the most effective modes of stopping desertion; and, when so inflicted as to be indelible, it prevents the trade of further fraudulent enlistment. But as it has been found that in many cases men succeed in obliterating this mark, we think it deserving of consideration whether some alteration should not be made in the present mode of marking deserters.

We are most unwilling to appear desirous of interfering with the exercise of leniency in any punishment; but we are decidedly of opinion that, in all cases of a second or subsequent desertion, the marking with the letter D should be invariably awarded by the court-martial; and that where a man is proved to have enlisted while in a state of desertion, he should, in addition to being marked with the letter D, be made liable to all the penalties which attach to disgraceful conduct under the Mutiny Act and Articles of War. We recommend that the offence of inducing and aiding soldiers to desert, which is now, under the Mutiny Act, a misdemeanor, and punishable by fine and imprisonment, be dealt with summarily, in the same manner as the offence of purchasing soldiers' necessaries is dealt with under the same act.

And we further recommend that, with a view to encourage the apprehension of deserters, and thereby to assist in checking the practice of desertion, the reward for the apprehension of a deserter should never be less than 1*l.*; and that it should, in all cases, be paid to the person entitled thereto with the least possible delay.

Desertion of Recruits.—Desertion, among recruits, is said, in some cases, to be occasioned by the fatigue and irksomeness of the drill to which they are necessarily subjected, in order to enable them to take their places in the ranks. On medical authority also we learn that, considering how frequently recruits are younger than they declare themselves to be, it is very desirable that the duration of each drill should be limited as much as practicable, and that every care should be taken to prevent their strength and energies being overtasked. We submit to your Majesty that this is a matter to which the attention of the military authorities should be directed.

Transfer, to Infantry, of Recruits unfit for Cavalry.—Frequent desertions are said to occur among cavalry recruits, because, either from physical inaptitude for their duties, or from disinclination to the care and management of horses, they find themselves ill-fitted for that branch of the service, although they would not be indisposed to serve in another branch of the army, where riding and the care of horses would not be required of them. We recommend that the removal of such men from cavalry to infantry, within the first six months of their service, on the application of their commanding officer, and with their own consent, should, but for the above reasons only, be sanctioned.

LEVY MONEY.

Allowances are granted for raising each recruit, payable partly to the recruit under the name of bounty, and partly to those by whom he is enlisted.

The division of this money in 1859 was as follows:—

	£	s.	d.
To the recruit (being the amount of bounty)	on being attested	0	2 6
	on final approval	0	7 6
	on joining his corps	2	10 0
To the sub-division officer	on final approval, to cover the expenses of postage, stationery, &c.	0	5 0
	for attesting	0	1 0
	for surgical examination	0	4 0
To the enlisting party, including the bringer	on final approval, including 7 <i>s.</i> 6 <i>d.</i> to be paid to the bringer	0	15 0
For conducting the recruit to his corps		0	2 6
		4	7 6

The system of giving a bounty to recruits is, probably, of as old a date as the existence of the army itself. Bounty is strongly represented to be the cause of much drunkenness and desertion; and we fear that there is but too much foundation for the belief that it is so. We have anxiously sought for some practicable mode of diminishing the constant occurrence of such serious evils. But when we find that an increase of bounty is generally a necessary consequence of any large number of men being suddenly required—believing, also, that without some bounty it would frequently be impossible to get recruits—and inasmuch as the power of raising or lower-

ing the amount, according to the circumstances of the moment, has always existed, we think that we shall best perform the duty entrusted to us by your Majesty, if we abstain from recommending the trial of any experiment, which, if not successful, might lead to great embarrassment, and content ourselves with suggesting that some advantage would probably result from paying the bounty, whenever it shall exceed 2*l.*, by instalments, instead of paying it in one sum, as at present, on the recruit joining his corps. The allowance of 5*s.* paid to sub-division officers for each recruit, on final approval, is intended to cover their losses by rejected recruits, as well as to defray the expense of stationery, postage, &c. We find that for each recruit raised by them the sub-division officers of your Majesty's Indian forces receive 1*l.* 6*s.*, and the sub-division officers of the Royal Marines 1*l.* 4*s.* for the like purpose. We are of opinion that this great inequality in the remuneration of officers employed on the same duty requires consideration and revision. We also think that, considering the facilities of transit now available, the present allowance of 2*s.* 6*d.* for each recruit conducted to his corps should be reduced to 1*s.*, and should not be allowed for recruits conducted direct to their corps, prior to final approval.

PAY AND STOPPAGES.

We have taken much evidence on these points; and, after mature deliberation, we are not prepared to recommend an increase of pay to the army. But we believe that the charges known as stoppages do press heavily on the soldier. On a recruit joining his corps, he is furnished with the whole of his equipment free of charge. Of the articles of which it is composed, some, technically called clothing, are replaced periodically at the public expense; but others, known by the name of necessaries, although some are really articles of clothing, the soldier is required to replace by means of stoppages from his pay. We cannot discover how this distinction between clothing and necessaries can consistently be maintained; and as the State professes to clothe its troops, we think that, so far as is practicable, the soldier should receive from the public all those articles of which, for the sake of his health and his comfort, his kit is made to consist.

On this principle, therefore, we recommend that the following articles be issued, free of charge, to every infantry soldier in your Majesty's army, commencing at the termination of one year from the time of his receiving the free kit on joining his corps, viz. :—A second pair of regulation boots, two shirts, two pairs of socks, and one towel, every year; one fatigue jacket, one pair of summer trousers, one forage cap, and one stock and clasp, every alternate year; the requisite variations being made for the Highland, Rifle, or other peculiar corps. And that to the Cavalry, Artillery, Engineers, and other branches of the service, a corresponding advantage be given in such manner as shall be deemed most desirable. These articles to be considered as articles of clothing, and subject to the rules and conditions applicable thereto. We recommend that the soldier be relieved from any charges for the alteration and marking of his clothing, on its being issued to him; for the browning of his arms, and for the washing of his sheets in barracks. Also, that no charge be made against him for barrack damages, where the amount does not exceed one penny per man per month; and that no barrack damages be charged by reason of the occupation of any barracks for a less period than one month, except for

wilful damages, and the loss of, or making away with, any barrack furniture, utensils, or other public property. Further, we are of opinion that, by more frequent white-washing and painting, the amount chargeable as barrack damages would be reduced.

We are aware that much has been done to add to the comfort of the soldier in barracks, and that more is in progress; and we trust that the improvements which have, from time to time, been carried into effect in many barracks, may be gradually extended to all. It has been represented to us that great advantage would result from a system of locating recruits in barracks, instead of their being scattered in billets. We find that this principle is already in successful operation at the head-quarters of certain recruiting districts. It has also been recommended that recruits should be furnished at once, on enlistment, with some portion of their military clothing, which, if practicable, we should be glad to see carried into effect; but it appears that there would be great difficulties attending such arrangements in recruiting districts. The lodging of recruiting parties, and the establishment of their rendezvous in low public-houses, have been said to bring discredit on the recruiting service. But as public-houses are, universally, the places where the unemployed of all classes congregate, we fear that, whatever may be the extent of this evil, it is one for which no remedy is at present to be found. We can, therefore, only recommend that the utmost care be taken to select public-houses of a respectable kind for these purposes; and we hope that the recent allowance of 4*d.* per night for each billet will render this more easy of accomplishment than hitherto.

The positions of lance-serjeants and lance-corporals has been under our consideration; and we find that so far from the rank of lance-sergeant being of advantage to corporals in the cavalry, they suffer a loss by being called upon to pay 6*s.* 6*d.* per month for the grooming of their horses. From this charge we think that they ought to be relieved; and with regard to lance-serjeants in the infantry, we find that they should have an addition to their pay of 2*d.* per diem; the number of lance-serjeants thus benefited to be restricted to one per troop in cavalry, and to one per company in infantry. We do not consider it necessary to recommend any increase of pay to lance-corporals.

We agree in the opinion which has been expressed, that the periods necessary for attaining the good conduct pay, as fixed by your Majesty's warrant of 1st July, 1848, required alteration. The grant of one penny a day after five years' service, and a second penny after ten years' service, did not accord well with the present period of enlistment for ten years, as the soldier only acquired the right to the reward for ten years' good service exactly at the period when his term of service expired. We should accordingly have recommended an alteration of these periods; but finding that the first period of five years has been reduced to three years by your Majesty's warrant of the 1st of March last, we refrain from entering further on the subject. It appears that the allowance of one penny a day, known by the name of beer-money, is not paid to recruits until they join their regiments or depôts. We recommend that every recruit should receive this allowance from the date of his enlistment. We think, also, that it deserves consideration whether the distinction between pay and beer-money should not be abolished, the soldier receiving in one amount a sum equal to both, in which case, the stoppage for rations abroad must be assimilated to the stoppage for rations at home. The allowance granted to soldiers and

recruits travelling by railway seems also to require alteration. According to the existing regulation, nothing is allowed for any distance less than 150 miles, although a soldier obviously requires a meal during the period of transit. For this distance, if travelled continuously, the allowance at present is 10*d.*, and the like amount in addition for each 100 miles beyond the first 150.

We are of opinion, that the scale of travelling allowance should be regulated as follows:—Minimum continuous distance of 50 miles, 4*d.*; 100 miles, 6*d.*; 250 miles, 1*s.*; 400 miles, 1*s.* 6*d.*; and that an allowance of 4*d.* should be granted to each soldier or recruit disembarking from on board ship from a voyage of not less than six hours, provided that he has not been rationed on board for the day of disembarkation.

COMMISSIONS TO NON-COMMISSIONED OFFICERS.

It has been suggested that, if a larger portion of deserving non-commissioned officers were promoted to commissions, young men of a superior class might be induced to enter the army, in the hope of advancing themselves in their profession; and the example of continental armies has been urged as an illustration of the advantages of such a measure. The circumstance, however, of these armies being raised by conscription, obviously involves the necessity of a more liberal distribution of promotion to the commissioned ranks than in this country. To be forced to serve is, in itself, a severe obligation; but it would become intolerable, if the conscript had not a fair prospect of sharing in the advantages of the military system, of which he had to bear the pressure. In the British army, however, it is not so; the soldier enlists voluntarily, aware, or supposed to be aware, of all the conditions of the service, among which the chance of promotion has certainly never been put very prominently forward.

It must not from this be inferred, however, that such promotion is comparatively rare; on the contrary, a return furnished to us shows that during the last ten years 570 commissions have been thus bestowed without purchase, in addition to 90 appointments as adjutants and quartermasters on the permanent staff of the militia.

Two serious barriers to advancement in your Majesty's service, viz., want of education, and of means, are comparatively little felt in continental armies, where the parents of many well-educated youths, being unable to pay the large sums required for substitutes, are obliged to leave them in the ranks, and where the limited expenditure in the subaltern grades admits of an officer living upon his pay with much less difficulty than in the British army.

As, however, notwithstanding that difficulty, the military authorities have thought fit, in accordance with the general feeling expressed of late years, to give an extent of promotion to this class equivalent, we have every reason to believe, to about one-fourth of all the vacancies caused by death in the commissioned ranks on full pay, we think it very desirable that the fact should be generally known, in case it should have any influence on recruiting; but it is right, at the same time, to state that the corps in which no commissions were till very lately given from the ranks, viz., the artillery and Indian military forces, are precisely those in which there has always been the least difficulty in recruiting, while the infantry of the line, where the chances of obtaining commissions are by far the greatest, has always experienced the most difficulty in keeping its ranks complete.

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Except where it has been practicable to combine with a commission some appointment on the regimental staff, opportunities for which do not often occur, military experience indicates that a commission is not always considered an advantage by deserving serjeants to whom it may be offered. The want of means to meet the unavoidable expense of their position often leads to the sale of their commissions before they reach the rank in which their pay would be sufficient for their support; the few hundreds of pounds thus obtained are liable to be squandered by men unaccustomed to the pursuits of civil life, and they are then too often left to an old age of indigence and suffering—a result likely to have a very different effect on recruiting from that originally contemplated.

It might also be a great encouragement to recruiting, and to good conduct while serving, if a preference were given to pensioners, discharged with good characters, in filling up such situations as porters and messengers in public offices, and any of the subordinate appointments in the Excise, Customs, Post Office, and other civil departments for which they might be qualified.

EFFECT OF FREQUENT CHANGES IN THE STRENGTH OF THE ARMY.

In considering the military resources of this country, it should always be borne in mind that the frequent variations in the strength of your Majesty's army are productive of great obstacles to the successful progress of the recruiting service; and of this, the recent war in the Crimea may be taken as an example.

The necessity for a large augmentation of the army then suddenly arose, and the greatest efforts were required to procure recruits on the spur of the moment. Peace being speedily concluded, financial considerations called for an immediate return to a peace establishment, and large reductions at once were made.

Although it is true that whatever may be the period for which men are enlisted, the power to discharge them at any moment appertains to the prerogative of the Crown, it will be readily understood that young men induced, at a time of great national excitement, to become soldiers, look but little to the future. But when at the end of two or three years, and perhaps just as they have got thoroughly settled in their profession, they find themselves suddenly discharged, either without a pension, or with a pension for a few months only, they return to their homes, or wander about in search of employment, with a feeling that they have had a hard measure of justice meted out to them, and that the services rendered by them to the State at a time of difficulty and danger, deserved a more generous acknowledgment, and we cannot conceal from your Majesty that this feeling, becoming widely spread in every part of the country, has the effect of bringing great unpopularity on the army as a profession, and of deterring many whom it would be most desirable to enlist from joining its ranks.

TRANSFER OF MEN FROM DIFFERENT CLIMATES.

Though we have been able to submit to your Majesty but few recommendations by which any material change can be effected in the facility of raising recruits, we think it possible to attain the same object in another form by economizing as much as possible the use of those already obtained.

For instance, it appears to us that the principle, already referred to as

regards cavalry recruits, by which soldiers physically unfit for one branch of the service may, with their own consent and the approval of their commanding officer, be made available for another, should be applied to the somewhat parallel cases of men who, having suffered from those diseases which are so common in the East Indies and at other tropical stations, can no longer serve there with any prospect of efficiency, but might perhaps be able to do so in more northern latitudes, where such diseases are comparatively rare; and that in the same way those who had suffered from affections of the lungs, which are so common in this country, or in similar climates, might be transferred with advantage to regiments likely to continue for some years in a warm climate.

With a range of service extending, like the British, over every quarter of the globe, there appears no good reason why a soldier should be discharged merely because his constitution has been unable to cope with the diseases of one climate; and we conceive it possible, by some arrangement of this kind, to get rid of a large proportion of those distressing cases in which, after a few years' service, a soldier, who may perhaps still be attached to his profession, and be fit for none other, is obliged to quit it before he has attained the period entitling him to pension.

While we deprecate any proposal, which would place it in the power of a soldier to quit one regiment for another without sufficient reason, we see no inconvenience, but much advantage, in his being permitted thus to transfer his services to another corps in a climate better fitted to his constitution, provided the commanding and medical officers jointly concur in the expediency of such a change, and that there appears no alternative but either to permit this, or to lose his services altogether by invaliding or discharge.

It is only necessary to look to the numbers of men discharged annually, for disabilities of this description, either with temporary pensions, or with no pensions at all, in order to be satisfied of the importance of such an arrangement. We refrain from entering into any details of such a measure, guarded as it must be by many precautions; but we merely offer the suggestion as one deserving of consideration.

PUBLICATION OF THE CONDITIONS AND ADVANTAGES OF THE SERVICE.

Notwithstanding the pains which, on referring to the Mutiny Act, it will be seen are taken to make enlistment purely voluntary, and the result of reflection, we believe that these good intentions, frequently, and from various causes, fail to effect the desired object. It is found that but few enlist from any real inclination for military life, and that enlistment is, for the most part, occasioned by want of work,—by pecuniary embarrassment, by family quarrels,—or by other difficulties of a private nature. It is not unnatural to suppose that those, who thus hastily become soldiers, trouble themselves but little to ascertain, beforehand, what is the nature, and what are the conditions and obligations of the profession into which they are about to enter. We learn with satisfaction that his Royal Highness the General Commanding-in-Chief has prohibited the use, by recruiting parties, of placards giving inflated and exaggerated descriptions of the advantages of a soldier's life, and that none are now allowed to be issued without the previous sanction of your Majesty's adjutant-general. In the feeling that to deal fairly and openly with recruits is not only the most honest, but in the long run, also, the most politic course to pursue, we entirely concur; and we think that

every endeavour should be made to prevent enlistment through misrepresentation on the one hand, or through ignorance on the other.

With this object in view, we recommend that a fair and full statement of the conditions and advantages attaching to service in the army be drawn up, and published by authority, in the shape of a small pamphlet, for general circulation in the country; and that of this pamphlet a copy be put into the hands of every person desirous of enlisting, prior to giving him the enlisting money, and that a copy be furnished to every soldier, to be kept by him, and shown with his kit.

NUMBER OF RECRUITS for the LINE RAISED, Year by Year, during the last Forty Years, distinguishing between Districts and Head-Quarters, between Ireland and elsewhere.

Year.	Force of the Army.	NUMBER OF RECRUITS RAISED.				Minimum Standard of Recruits during each Year.
		In the District.		At Head Quarters.	Total.	
		Great Britain and Foreign Stations.	Ireland.			
1820	77,692	3,347	1,606	2,733	7,686	5 feet 6 inches.
1821	76,040	2,496	1,649	2,116	6,261	
1822	70,912	2,228	2,317	1,751	6,296	
1823	69,491	3,170	2,485	1,948	7,603	
1824	71,608	4,388	3,391	2,480	10,259	5 feet 5½ inches.
1825	72,402	8,502	6,742	6,812	22,056	
1826	85,812	6,908	4,644	3,897	15,449	
1827	88,997	4,144	2,881	2,716	9,741	
1828	87,587	2,209	1,074	1,473	4,756	5 feet 6 inches.
1829	84,269	1,664	445	1,289	3,398	
1830	81,870	1,459	293	1,574	3,326	
1831	83,056	6,529	2,299	4,814	13,642	
1832	84,896	3,513	1,155	2,184	6,852	5 feet 6 inches.
1833	83,944	3,281	868	1,851	6,000	
1834	81,418	2,165	649	687	3,501	
1835	77,609	3,204	931	1,858	5,993	
1836	76,981	3,418	1,195	2,342	6,955	5 feet 5 inches.
1837	76,542	4,808	1,612	2,795	9,215	
1838	78,257	6,608	2,141	4,174	12,923	
1839	83,801	11,271	3,906	6,020	21,197	
1840	93,531	9,756	3,062	3,142	15,960	5 feet 5½ inches.
1841	96,732	9,071	2,396	2,627	14,094	
1842	98,711	9,341	3,064	3,499	15,904	
1843	102,450	7,733	2,816	1,955	12,504	
1844	104,080	5,473	1,976	1,678	9,127	5 feet 6½ inches.
1845	102,645	5,393	2,152	2,292	9,837	
1846	103,277	9,845	4,506	6,511	20,862	
1847	111,159	6,163	6,741	3,088	15,992	
1848	111,546	6,004	3,350	3,053	12,407	5 feet 6½ inches.
1849	117,495	3,857	1,850	1,809	7,516	
1850	104,135	3,508	1,139	1,674	6,321	
1851	101,054	4,857	1,380	2,139	8,376	
1852	102,901	6,908	2,234	3,541	12,683	5 feet 6 inches.
1853	104,840	6,592	2,123	2,234	10,949	
1854	105,952	22,021	9,599	...	31,620	
1855	119,597	26,560	5,559	...	32,119	
1856	134,481	8,396	1,602	...	9,998	5 feet 6 inches.
1857	111,806	18,103	3,974	18	22,095	
1858	134,363	33,947	7,746	20	41,713	
1859	152,069	19,798	4,940	...	24,738	
Total		308,638	114,492	94,794	517,924	

PORT OF CHARLESTON.

Correspondence with the United States Government respecting the Supervision of the Federal Custom-House at the Port of Charleston.

On the 16th January, Lord John Russell received from Lord Lyons copy of a note addressed by him to the United States Secretary of State, in which he called the attention of that Government to the fact that by a convention sitting at Charleston the United States custom-houses in South Carolina were converted into custom-houses of that State, and the revenue laws of the United States were adopted as laws of South Carolina. Lord Lyons having been requested by the British consul at that port to send instructions as regards the entries and clearances of British vessels, he asked the United States Government to give such information as will remove any apprehension which may exist that the abolition *de facto* of the United States custom-houses in South Carolina will be allowed to subject British vessels and British commerce to loss, injury, or inconvenience. On the 21st January, Lord John Russell received another despatch from Lord Lyons, containing another note to the United States Secretary of State, stating that the *de facto* authorities of South Carolina had extinguished the lighthouse, burned or otherwise destroyed the three beacons, withdrawn the light-ship, and removed the buoys which served as guides to the entrance of the harbour of Charleston. Lord Lyons made this communication in order to free her Majesty's consul for South Carolina and himself from all responsibility for any loss of life and property which may unhappily accrue, and, in the second place to obtain such information respecting the measures taken in the matter as may allay the anxiety of British subjects.

On the 26th January, Lord John Russell received a despatch from Lord Lyons with the reply from Judge Black to his notes of the 31st December and of 7th January. Judge Black said that he was directed by the President to express his regret that any injury should happen to the commerce of foreign and friendly nations, and especially that British subjects who are engaged in lawful trade at the port of Charleston should suffer, in consequence of the anomalous state of things which has existed there for a short time past. It was impossible for the United States Government to regard the assumption by South Carolina of authority to regulate foreign commerce, and exact duties upon imports, as anything more than one of those acts of sudden and lawless violence by which all Governments are more or less liable to be occasionally disturbed in the exercise of their proper functions. Upon the points suggested by Lord Lyons, the Secretary said:—"The jurisdiction of the Federal Government to regulate trade with foreign nations, and to impose duties on goods imported into the United States, is exclusive. Congress exercised this power by passing laws which clearly define the duties, rights, and liabilities of foreigners engaged in that business. This Government cannot acknowledge any standard or legality, or any rule of conduct, other than those prescribed in the statutes referred to. It necessarily follows from this that payment of duties to a person who is not the proper officer of the United States, and authorized by the laws of the United States, to receive them, will be a mispayment.

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Nor can a clearance which may be obtained contrary to those laws be regarded as valid by the Federal authorities. Whether the state of things now existing at Charleston will, or will not, be regarded as a sufficient reason for not exacting the penalties which may be incurred by British subjects is a question which I am very sure you will see the necessity of reserving until it practically arises. It seems to me impossible to deal with it in the abstract, or to lay down any general rule at this moment which might not be misinterpreted hereafter. Each case will, no doubt, have its own peculiarities. The degree of constraint under which the party who violates the law may be compelled to act at the time, and what amount of coercive power South Carolina will bring to bear upon the masters of vessels, or the consignees of cargoes, are facts which may have some influence, but cannot be ascertained now."

ARMY RELATIVE STRENGTH.

Return showing the Relative Strength to Establishment of the Army during each of the Three Years 1857-58, 1858-59, 1859-60, specifying the Augmentations and Reductions, Causes of Increase and Decrease, &c. (General Upton.) 6th February, 1861. (9.)

On the 1st April, 1857, the establishment consisted of 10,120 sergeants and 148,291 drummers and rank and file; and the strength, 9,983 sergeants and 143,941 drummers and rank and file. On the 1st of April, 1858, the establishment consisted of 11,767 sergeants and 191,009 drummers and rank and file; and the strength, 10,400 sergeants and 168,535 drummers and rank and file. And on the 1st April, 1859, the establishment was 12,493 sergeants and 195,453 drummers and rank and file; and the strength, 11,261 sergeants and 190,274 drummers and rank and file. The bounty, with free kit, was 3*l*. The standard in 1859 was, gunners, 5 feet 7 inches; drivers, 5 feet 4 inches; Life Guard, 6 feet; cavalry of the line, 5 feet 4½ inches to 5 feet 11 inches; Royal Engineers, 5 feet 6 inches; Foot Guard, 5 feet 6 inches; infantry of the line, 5 feet 3 inches.

In the year 1859-60 the increase was 32,323, viz., volunteers from militia, 5 sergeants, 1,273 rank and file; re-engaged at the expiration of twelve or ten years' limited service, 231 sergeants, 960 rank and file; and re-enlisted within six months after discharge, limited service, 5 sergeants, 202 rank and file; recruited, 27,808; and joined from desertion, 1839: total, 32,323. The decrease was—discharged by disability, 4,046; by purchase, 1858; limited term of twelve or ten years, 1333; at the expiration of twenty-four or twenty-one years, 1,255: total, 8,492. Death, 4,788; desertion, 5,401. On reduction from all other causes, 3,659. Total, 22,340. The proportion of increase to strength was 83·16 per cent. for the three years, or 27·72 per cent. per annum. The proportion of decrease to strength, 45·74 per cent. for the three years, or 15·25 per cent. per annum.

IONIAN ISLANDS.

Papers relative to the Mission of the Right Hon. W. E. Gladstone to the Ionian Islands, in the Year 1858.

ON the 10th of August, 1858, Sir E. B. Lytton received from Sir J. Young a despatch transmitting a complaint made by the five municipal officers of Corfu against an order issued by the Lord High Commissioner. The facts of the case were these:—Five Turkish vessels passing along the coast with troops, stopped in the harbour of Corfu to take in coals and other supplies. Their boats and those of the port, which usually take part in such traffic, were plying between the vessels and the shore, when Count Tivoli, the municipal officer who superintended the markets and provisions, thought proper to interfere, and using the constables, who were placed at his disposal, as is customary, without question removed the bread which was actually purchased and in the boats. Count Tivoli did not deny his interference, but justified it on the ground of apprehended scarcity; but the real reason for the interference was to gain popularity by inconveniencing the Turks, who were the objects of detestation to all Greeks. The Lord Commissioner made complaint of this in a message to the Senate, and though some doubts were raised as to the authority of the municipal officer, that body considered the message a most arbitrary act. On the 8th of October Sir E. B. Lytton received another despatch from Sir J. Young, informing that the municipal councillors had retired from the procession of the 23rd ult., and that, having requested them to give an explanation of their conduct and motive, they did not send an answer for a long time; and afterwards stated that they did not attend because the places which belonged to them as municipal councillors were taken away, and because not sufficient respect was paid by the English functionaries at the palace to the religious solemnities. By a subsequent despatch, however, Sir J. Young enclosed a letter from the archbishop, on the subject, to the following effect:—

Archbishopric, Corfu, October 24, 1858, o.s. (November 6, n.s.)

Most Illustrious Sir,—When I first assumed the dignity of archbishop, I found the practice had existed for some years of making the processions of the holy and miracle-working St. Spiridion pass in front of the palace of St. Michael and St. George, and that when the holy relics had reached opposite the principal entrance of the palace, they halted and remained stationary until a prayer was offered up for her Majesty the Protecting Sovereign, for his Excellency the Lord High Commissioner, and for the other dignitaries of the State; during all which time the holy relics and the whole of the clergy remained standing under the feet of the Lord High Commissioner, who, with some of his suite, is on the balcony.

It must be confessed, most illustrious sir, that this custom, how introduced I know not, is without doubt both unjustifiable and improper; first, because this practice did not originally exist, but was commenced after the Lord High Commissioner discontinued following the said processions; 2ndly, because there is neither decree nor act of Government establishing such practice; 3rdly, because it is both a profanation and degrading to our pure religion to allow the holy relics to remain at the feet of mortal man, and also contrary to the creed of our orthodox community and holy clergy generally; 4thly, and lastly, because the prayer for the Sovereign protectress and other authorities was always offered up, and is still so, at the close of the procession inside the church, which is the proper place for prayer, in the presence of all the authorities and people who form the procession; so that the prayer offered up before the palace is both superfluous and out of place.

Although I saw from the first the impropriety of such a practice, I did not abstain from following it up, with the sole view of obviating any disturbance such as that which took place in Sir Howard Douglas's time. The case now, however, is quite different; because, in the first place, the movement of the municipal officers at the procession in August last, and, secondly, the unceasing attacks of the press on the same subject, have produced in the public not a little hidden excitement, and have stirred up much religious enthusiasm; so that I

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foresee in truth evil consequences should the practice be repeated in the procession of November.

I well know that the Government have the means and power of quelling such outbursts and disorders; but the desire of the church and that of the Government, I am sure, can never be that that religion which preaches peace and tranquillity, and proper discipline, should be made the cause of future disorders, and consequent punishment. To obviate, therefore, and avoid all unpleasant consequences, it would be prudent that such practice should cease once for all; while, I repeat, the prayer for the protecting Sovereign and the other authorities will be offered up in the proper place, that is to say, in the sacred temple.

Pray be pleased to submit this to the proper authorities, &c. I have, &c..

(Signed) ATHANASIOS, Metropolitan of Corfu.

In answer to these despatches Sir E. B. Lytton, in a despatch dated 1st of November, 1858, reviewed the past and present condition of the Ionian Islands, with regard to their political relations with the protecting power; and after recapitulating the circumstances of the proceedings of the municipal officers superintending the market, with regard to the seizure of bread about to be supplied to the soldiers on board a Turkish vessel, and also with reference to the religious processions, stated the general principles and sentiments entertained by her Majesty's Government with reference to those questions, and announced that her Majesty's Government had resolved on despatching the Right Hon. W. E. Gladstone as a special commissioner, to inquire into and report on the whole state of Government in the Ionian Islands, and on the political relations between the political power and the people. In another confidential letter, of the same date, Sir E. B. Lytton wrote that it did not seem to him expedient to give to the dislike of Count Tivoli and his colleagues the dignity of patriotism and the popularity of martyrdom; and that it was better not to take any active step for suspending or dismissing any member of the municipal council, for the constitutional charter gave no authority, and concluded with these observations:—

“These are, doubtless, points which in themselves are small, but which, when considered with reference to the character of the Ionian people and the nature of the British protectorate, are worthy of all attention. A compliance with popular forms and habits, a marked respect for their history, their traditions, and their religion, a general kindliness in language, and an invariable courtesy of demeanour, constitute a large portion of the policy to be pursued in governing these islands, and will be found sufficient to control many difficulties and to secure many objects, where the community is so small and the influence of the Lord High Commissioner so great.

“I trust very shortly to forward to you my views upon certain general questions of policy to which communications conveyed through you invite my attention. Meanwhile I earnestly trust that yourself and the Senate will do all that can with propriety be done to heal and efface, rather than prolong, discussions with the municipal body. Wherever authority rests mainly upon moral force—wherever national prejudices are easily invoked against it—there, I can conceive, no acts of Government by which it can acquire such dignity and strength, as by a spirit of manly conciliation, honestly felt and frankly acknowledged. The dread of appearing weak if a demonstration of force be avoided, wherever the cause is inadequate and the issues are hazardous, has been an error fatal to many Governments, ancient and modern; but that dread has never been admitted into the policy of our own great statesmen; and however untoward the circumstances amidst which men invested with authority may be placed, rarely do

they fail of efficient influence while they use all gentle but honourable means to convert the antagonist and secure the friend."

In answer to these despatches Sir J. Young expressed satisfaction at the appointment of Mr. Gladstone, and justified his acts, since he held the post of Lord High Commissioner, as follows:—

"The prestige of England throughout the East was never lower—the political complications in these islands were never more embroiled—than when I assumed the post of Lord High Commissioner. Three years and a half have passed—more than half the period allotted by the colonial regulations to the duration of the appointment: has the Colonial Office been ever less fatigued with references and troublesome questions in any similar period?

"I have had to contend with a visitation of the cholera; with severe distress in the islands; the bickerings between rival authorities; and, at first, a divided Senate, and an uneasy state of public feeling. The public feeling is much improved, as much, probably, from lapse of time, and absence of fresh irritation, as anything else. The present Senate is a prudent, moderate, united Council. The goodness of Providence has removed the scourges of disease and destitution. The bickerings of rival authorities remain. I have already intimated that, in my opinion, they are inevitable; they are the necessity of the position and the condition on which alone these gentlemen hold office, and outbid competitors. I can no more be held responsible for them, than for the supineness which allows the roads to fall into disrepair, and leaves the local institutions neglected; the jobbing that refrains from collecting the local revenues, or the corruption that wastes what is collected. These have all been the subject of frequent remonstrances on my part through the Senate, and of consequent ill-humour on the part of the municipal authorities. Neither can I be held responsible for such causes of discontent as the bad state of the laws regulating the sale and transfer of land; the insecurity of all dealings with real property; the usury which exhausts the country; the neglected ports, &c.: all subjects within the competence of the Legislative Assembly, and to which its attention has been repeatedly called.

"In effect, all those departments which are subject to the control of the General Government are in fair working order. All those that are under the municipal authorities are sadly the reverse. In the three years and a half, the power of the high police has not been resorted to in any single instance. There is not an Ionian in exile, in confinement, or any kind of legal process, for a political offence. The liberty of the press has been complete, and completely respected. Suggestions to a contrary course have often been made. There have been provocations enough, and not a little blame has been thrown upon me, by the almost unanimous voice of the press in England, for not resorting to strong measures on occasions when I knew them to be unnecessary and impolitic. With all this disuse of force, perfect tranquillity reigns throughout the islands, and there is every prospect of its continuance, so far as can be learnt from the reports which I anxiously collect from time to time at short periods.

"The military contribution has been regularly paid, and there is a large surplus revenue in this as in the last biennium, while every economy has been practised that the Legislative Assembly and the municipalities would permit. The commerce of the States is yearly increasing under the firm but quiet maintenance of principles little understood, and frequently sought to be violated by shortsighted and injurious interferences.

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“As regards the Legislative Assembly itself, I have fulfilled every constitutional requirement up to next March, and have carried through two sessions in a manner which has met the general approval of the Ionians, and extorted praise even from Greek writers, as well as from others of higher authority. No one anticipated such a result as possible when I left London. Lord John Russell wrote me, ‘A useful session, even half a session, will do wonders for the Ionians. Even if you do not succeed at present, you may make an impression upon the minds of the people that will last.’ I submit, I have done so. Two sessions—not merely a half one—have been steadily carried through under great difficulties, and an impression produced which I have been endeavouring to strengthen all the recess. We are now approaching the next session, and making preparations for the event. Many irritating topics have been eliminated; there are no acts of Government of which the Legislative Assembly is so jealous; the expenditure has been kept strictly within the amount, and in the channels prescribed by the Assembly; there is not a single case ventilated in the newspaper, to which the Senate, through the mouth of their defenders, the procurator-generale and their secretaries, cannot return a satisfactory answer.

“On the whole, the position of the Executive Government, as regards attacks by the Legislative Assembly, was probably never better than at this moment; nor, so far as I can learn, setting aside the diatribes of the papers, has the feeling of the country ever been more disposed to avoid violent scenes and open rupture with the protection.”

On the 4th of December, Sir E. B. Lytton received a despatch from Sir J. Young, transmitting the address of the ten representatives and of the municipality of Corfu to the Secretary of State, protesting against Corfu being made a colony, and declaring their wish for union with Greece. He complained also of the publication of two confidential despatches which had been stolen.

On the 24th of November, Mr. W. E. Gladstone arrived at Corfu, and on the 26th he attended a meeting of the Senate of the States of the Ionian Islands, convened for the occasion, when he delivered the following address in Italian :—

Your Highness and Most Illustrious Sirs.—You have heard the words of the Sovereign Protectress of the United States of the Ionian Islands.

From the commission which has been read to you is derived whatever title I possess to your regard and assistance, and to that of other Ionians, in the execution of my duties. It avoids, as you will observe, all interference with constituted authority, whether in your hands, in those of the Lord High Commissioner, or in any others; and while binding me, as the subject and servant of her Majesty, to a given purpose, it does not bind any Ionian, but simply empowers me to appeal to a free and voluntary aid in furtherance of my endeavours.

Nor is it only the title, but the matter and scope of my charge, which is to be gathered from this commission.

Her Majesty, ever solicitous of the well-being of the peoples whom she either governs or protects, is earnestly desirous that the inhabitants and subjects of the Ionian State should enjoy in the fullest sense, according to the spirit and opportunities of the time, every advantage which was contemplated on their behalf by the treaty of Paris in November, 1815.

Aware that embarrassments have heretofore from time to time beset the action of the institutions established under the treaty, she deigns to seek information through an organ independent of past Ionian politics, as to the causes of those embarrassments, and the best means of removing them.

On the one side, the British protectorate over these islands; on the other, the substantive existence of the Ionian State and its title to constitutional government, having their respective roots in the treaty of Paris, are derived from a source higher than the will of any single State, whether sovereign or subordinate. They form a portion of the public law of Europe. They cannot be infringed or altered by any authority inferior to that from which they flow.

It is therefore readily to be understood, alike from the terms of the commission and from the reason of the case, that my mission avoids every ulterior question that could derogate from the relations in which, by the concert of so many great States, England and the islands have been reciprocally placed. The liberties guaranteed by the treaty of Paris and by Ionian law are, in the eyes of her Majesty, sacred. On the other hand, the purpose for which she has sent me is not to inquire into the British protectorate, but to examine in what way Great Britain may most honourably and amply discharge the obligations which, for purposes European and Ionian, rather than British, she has contracted.

For this object, then, I earnestly invite you, the chief executive authority of the State, and all other persons representing or having an interest in the Government, the institutions, or the people of the country, to assist me freely with all such information and counsel on the state of the islands and of their laws, as ought to influence the conduct of the protecting power; for it is only by this efficacious aid that I can hope to give effect to those affectionate wishes for the welfare of the islands, which I have been permitted to hear uttered personally by her Majesty.

It has pleased Almighty God to endow the Ionian people with remarkable gifts, and also to try them in other times with many vicissitudes. May it please Him now, in an age alike of peace and of hope, to afford them more and more all the blessings of civilized and Christian life; may your countrymen find in the subsisting relations, wisely developed, a position worthy of their best energies, and of their ancient and distinguished traditions; and may their happiness ever be secured by the double union of freedom with public order, and of knowledge with the Christian faith.

On the 13th of December, Mr. Gladstone related an incident which occurred at Cephalonia, when his carriage was arrested by a crowd crying, "Union with Greece," and "Down with the protection;" and though the municipality and other public bodies disavowed the whole proceedings, Mr. Gladstone conceived the fact sufficiently important to render it necessary to make public the circular despatch of Lord Malmesbury, which set forth the obligations of England under the treaty of Vienna and her intentions in regard to them.

In a lengthened despatch, dated Corfu, January 13, 1859, Mr. Gladstone again reviewed the state of public feeling in the islands, and concluded as follows:—

"It is not necessary that I should enter largely, in this place, on a description of the state of political feeling in the islands, inasmuch as the knowledge I have gathered is best represented in the report which I have recently had the honour of sending home for presentation to her Majesty. I may endeavour, however, to sum it up in few words. A certain effervescence prevails, on the subject of union with Greece. The vehicle is afforded by words and ideas that national feeling has prompted; but the real stimulants are also to be found in heat of imagination, in fear of popular displeasure, in ambition, which find in this subject a ready instrument, and in the self-interest of some who are in possession of salary and power, and who, apprehensive of the consequences of legal and constitutional reform to themselves, both urge the people to extremes, and then exaggerate the excess they have contributed to bring about. If ever again, which God forbid, blood is shed in these islands, in connection with a political cause, it will probably, so far as I can venture to judge, be owing to the underground proceedings of the last-mentioned class more than to any other cause.

"While, however, on the outer surface little is to be seen but the desire for union, and while an analysis of motives exhibits, as contributing to the utterance of that desire, so many incongruous and conflicting elements, I must add that I have found in all quarters a body of intelligent opinion, indifferent or even averse to immediate union with Greece, but warmly enlisted in favour of attempts to establish constitutional government. The success or failure of any reasonable and sufficient measure of change will

mainly depend upon the degree in which this intelligent and undoubtedly sincere opinion is backed by a corresponding moral courage, of which I am bound to say, up to the present time, there have not been wanting some satisfactory examples."

On the 26th of January Mr. Gladstone reported the opening of the Assembly for which he had prepared a message. Instead, however, of disposing of that message in the first instance, an attempt was made to get rid of the extraordinary session by a motion to adjourn it until other members were elected in lieu of four which had been expelled. The attempt, however, was disconcerted by a declaration in favour of immediate action on the subject of Union. On the following day the question of Union was again brought forward, and after much discussion the Assembly carried unanimously the following proposition:—"The Assembly of the Seven Islands proclaims that the sole and unanimous will of the Ionian people has been, and is, the union of the Seven Islands with Greece. A committee of eleven members shall be appointed to submit to the Chamber its opinion on the ulterior measures suitable to the proclamation of union this day adopted in the Assembly." Mr. Gladstone endeavoured to throw difficulties in the way of the carrying out of such resolutions, and by a message, showing the irregularity of the proceedings altogether, succeeded in getting some modifications; but the Assembly adopted the following petition in terms generally becoming and respectful:—

PETITION OF THE IONIAN ASSEMBLY.

To her Majesty Victoria I., the most gracious Queen of the United Kingdom of Great Britain and Ireland, Defender of the Faith, and Protectress of the United States of the Ionian Islands, &c.

May it please your Majesty,—The people of the Seven Islands having always kept in vigour the idea of its nationality, and desiring its union with free Greece, approaches with reverence your most mighty throne, that it may lay upon the steps thereof the authentic manifestation of this ever-glowing sentiment.

In the midst of the tribulations which have afflicted the Hellenic race, the Ionian people has both preserved, throughout, its civilization, and has maintained all along both its nationality and its independence.

The treaty contracted at Paris, on the 5th of November, 1815, without the intervention of the Ionian people, by which that people was placed under the British Protectorate, had no other view than the preservation of a small country, which is both recognized and declared in this treaty as a single, free, and independent State.

To this purpose tend the duties assumed by the protecting power under the treaty, and the political relations arising out of them between Great Britain and the protecting people. But after the establishment of the kingdom of Greece, the reason failing which suggested these relations, there sprung up spontaneously an ardent desire on the part of the Ionians for their political union with the liberated portion of the nation to which they are indissolubly bound by descent, religion, language, recollections, and unbounded sacrifices in a holy cause.

From this irrepressible sentiment flowed the obstructed manifestations of the ninth Parliament, and the unanimous desire expressed by the eleventh Parliament on the 20th of June, 1857. Of this same ardent feeling and desire of the entire Ionian people, his Excellency too, the High Commissioner extraordinary whom your Majesty has been pleased to dispatch to the Seven Islands, has received authentic proofs.

Setting out from considerations such as these, the representatives of the Ionian people, in their parliamentary sitting of January 15-27, 1859, proclaimed with one voice, that "the single and unanimous disposition (*θέλησις*) of the Ionian people has been, and is, for the union of the whole of the Seven Islands with the kingdom of Greece."

The Ionian Assembly, submitting these representations, prays your Majesty to be pleased to communicate this declaration to the other great powers of Europe, and to co-operate with them to give effect to the sacred and just desire of the Ionians.

The representatives of the Ionian people have a cheerful hope that the divine grace which once armed the right hand of Britain on behalf of the Hellenic nation, may again inspire your Majesty, so that by your mighty aid this people may attain to its national re-establishment, and that ties, springing out of profound gratitude and unalterable sympathy, may bind the hearts of the Hellenic nation to the throne of your Majesty.

(Signed) D. FLAMBURIARI, *President*. N. LUSI, J. DUSMANI, *Secretaries*.

On the 8th of February Mr. Gladstone transmitted a copy of the **Extraordinary Gazette** of the Ionian State, which contained a copy of the petition of the Legislative Assembly to her Majesty for a union with Greece, and of her Majesty's reply; together with a report of the speech made by Mr. Gladstone on the occasion, suggesting certain constitutional reforms. The answer of her Majesty was as follows:—

Victoria Regina.—Her Majesty has taken into her gracious consideration the prayer of the petition presented by the Legislative Assembly of the Ionian Islands, with reference to the interests of the islands themselves, of the states in their neighbourhood, and of the general peace.

Having regard to these objects, her Majesty, invested as she is by the treaty of Paris with the exclusive protectorate of the Ionian State, and constituted the sole organ of that State in the councils of Europe, can neither consent to abandon the obligations she has undertaken, nor can convey, nor permit, any application to any other power in furtherance of any similar design.

Her Majesty does not desire to impose new fetters on opinion; but she will enforce, wherever it is placed in her charge, the sacred duty of obedience to the laws.

Her Majesty has adopted, on her part, the measures which she deems most conducive to the good of the Ionian people; and she awaits the enlightened co-operation of their Parliament.

V. R.

The speech of Mr. Gladstone, in introducing his scheme of reforms, was as follows:—

Corfu, February 5, 1859.

Mr. President and Gentlemen,—Her Majesty, the protecting Sovereign, desires, by circumspect but effectual measures, to improve, up to their highest capability, and according to the circumstances of the times, the existing Ionian institutions.

This is to be done in two ways: first, as between the Ionian and the British element of the Government, by extending the sphere of the former, and by cautiously contracting the agency of the latter; secondly, as between the different Ionian elements, by dissociating powers that cannot conveniently be exercised through the same instrument, and by establishing the guarantees which experience has proved to be most effective for the rights and the liberties of all the classes of the community.

The principal guarantee of full constitutional freedom are these: that personal liberty be subject to restraint only by law; that exceptional powers of legislation, from which the representatives of the people are excluded, be abolished; that neither tax be raised, nor public money spent, on any pretext whatever, except with their authority; that they be provided with ready means of bringing to trial all persons holding public employment whom they may conceive it their duty to accuse of grave malversation; and that besides, this penal responsibility, the ministers shall hold office, not for a fixed term but during pleasure, in order that they may be in harmony with the legislative body as well as with the nominating authority.

The chief guarantees, on the other hand, for the tranquil and stable action of the Government are the following: that the Senate, divested wholly of its executive and initiative offices, shall have all the weight and independence so necessary for its legislative functions; that the popular chamber shall neither raise nor spend public money except upon the demand of the responsible executive; that the disposal of salaried offices by popular election be renounced; and that, if necessity require a partial exception as to the members of both Chambers, they shall at least, when the civil list is re-arranged, receive no more than a carefully estimated compensation for the expenses which their post entails upon them, so that the offices may be sought for its duties only, and in no degree for its profits. I recommend you to bring the Ionian law in this more important particular more nearly into conformity with that of Greece, where the members of the lower Chamber receive, in proportion to the charge they incur, less than half what is allowed in these islands. And I feel assured that the Assembly will, now, as heretofore, merit the confidence of the country by a generous and disinterested conduct.

Of the changes, however, that have been just described, the greater part relate to the division of powers among the various Ionian elements of the Government. You will naturally ask what is proposed in order to limit the action of the protecting power in your internal affairs.

I answer at once, that the greatest of all the changes proposed in this direction is to be found in the establishment of a ministry open to the influence of the Chambers, combined with the effective appropriation to the Assembly of what is termed the power of the purse. Still, in order to give greater efficacy to these provisions, you are invited to resolve that, upon a joint address from the two Chambers, praying for the removal of a ministry, it shall cease to hold office.

The council of ministers will, under the natural play of such institutions, become the

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central power in the administrative system of the country, and the chief of the council will be the head of that power. It is, therefore, proposed to you that, until more mature circumstances shall permit of the development of some further plan, the high station now enjoyed by the president of the Senate shall attach either to the council of ministers collectively, or to its chief. If, however, you should conceive it your first duty to provide for the dignity of the presidency rather than its political activity and power, I should defer to your wish as the most authentic organ of Ionian feeling, and I should be prepared to frame, or to listen to, suggestions for that end. It might, perhaps, be attained if a plan were adopted having this for its basis: that the president should not be liable to lose his dignity and salary within a certain period, and that he should never lose them by any act of the Lord High Commissioner, in case the two Chambers should, by address, express their desire that he should retain them.

The powers of the council of ministers will arise mainly under three heads:—

- 1st. You are invited to declare that to it shall be carried over the executive powers now attaching to the Senate.
- 2ndly. That all acts which the Lord High Commissioner now performs by his own sole authority shall, in order to their validity, require the countersignature of the proper responsible minister, except as to such powers as her Majesty may, by order in council, within a period to be limited, declare it to be indispensable to retain, either permanently or for a time, with a view to the due exercise of the protectorate.
- 3rdly. That the acts which he now accomplishes in concurrence with the Senate shall hereafter be performed, subject to the like exception under the reserved power of her Majesty in Council, simply by the ministry, or by a minister alone.

I have next to address you with respect to the legislative veto of the protectorate. The institutions of the country are not yet so mature as to permit of an attempt (which may hereafter, under favouring circumstances, be practicable,) to separate between laws which affect the duties of the protectorate and laws purely domestic. In the meantime, there is proposed to you a new recognition of too free and substantive action of the Parliament, by providing that, in the case of all future laws, instead of reciting in the body of them the approval of the Lord High Commissioner, it shall suffice to their validity if he shall attach to them his *visas*; and you will be free to add, if you think fit, that the period granted by the constitution for the disallowance of laws in England shall be greatly reduced.

In two other vital particulars you are invited to concur in restraining the powers which essentially belong to the protection; first, by declaring that the power of relegation, under the article of high police, shall be abolished; and, secondly, that an exceptional state of law, proclaimed in cases of actual or approaching disturbance, shall cease upon the re-establishment of order.

The Lord High Commissioner must of necessity be irresponsible to Ionian authority; but her Majesty deems it fitting to make further provision for his responsibility to herself.

This may be effected in a manner known to the practice of England, by which any complaint of grave malversation of office, proceeding from an authoritative source, would, instead of passing into the routine of administrative business, be brought by the Secretary of State to a judicial hearing before the highest authorities. I propose to you, therefore, that when either Chamber shall have presented any such complaint against the Lord High Commissioner, it shall have power to send an agent to England to support it, and to order payment of his reasonable charges.

A systematic division of public powers into those which are internal and those which belong to the protectorate would be scarcely possible, even under the happiest circumstances, to draw in theory and by anticipation. An administrative system cannot with safety be subjected to sudden and general change, and the attempt to sweep away in a day the habits and growth of forty years would alike injure and displease the country. Something more might at once have been attempted in this direction, had the state of opinion in your country been so harmonious as to allow of your co-operating in the first inception of a plan, instead of leaving to the protecting power its undivided burden and responsibility. But, in any case, experience would still remain the chief and the best guide as to particulars. The light obtained from daily and confidential relations of business between the Lord High Commissioner and the Ionian ministry would gradually clear the problem. Each must have the strongest motives for harmony with the other, and in the operation of these motives will be found to lie the real means of solving the difficulties of politics.

I am now speaking to you language which has acquired historic warrant. I am inviting you to follow the example of the nations, great and free, which have been content to establish effectually for themselves the great principles and guarantees of constitutional government, and have, without fear, trusted to experience for the rest, as the only effectual instrument for working out their legitimate consequences, and, at the same time, for preventing the fatal evils which might arise from misinterpretation.

One word with respect to the manner in which seats in the Senate are to be obtained and held. On this subject her Majesty has no desire but that the upper Chamber should have weight, independence, efficiency, and a separate and distinctive character.

A resolution, which I shall recommend, proposes that the seats shall be held for a term

longer than that of the single Parliament, and that the body shall consist of a majority elected by a special constituency, and of a minority named by the Lord High Commissioner, with the concurrence of the ministry, from among a circle of persons qualified as may be declared by law. I am not able to suggest a better method in which this peculiarly Ionian question can be dealt with. Still her Majesty does not preclude me from entertaining any modification which may appear to command general favour, and which may be as well or better adapted for the attainment of the indispensable ends that I have described.

The points which I have now named to you are those which appear to me essential to a beneficial readjustment of your constitution. It is requisite that I should give you fully to understand that the few but important provisions I have recommended as guarantees for tranquil and stable government are tendered to you as a whole. Any vote impairing any of these would be fatal to the entire plan; and, I must add, with respect to all the leading points I have touched, that England has kept nothing in reserve, and that, if you do not approve the outlines she has laid down, you may find advantage in dealing with them generally, and declining to accept them. I feel certain that in any case the Assembly will meet the question frankly; and that, mindful of its dignity, it will discountenance any attempt to evade, by indirect measures, the duty of uttering a clear and intelligible opinion upon proposals of such great moment to the Ionian people. In that spirit I act when I inform you that any vote, such as to alter materially their character, would shake the whole fabric to its base, and might at any stage annul the labours previously spent, by rendering it needful that the whole subject should be reconsidered.

The development of the scheme in its details would, however, if you should accept the bases, of course remain a subject for future and free deliberation. The adjustment of them, with the aid of mutual confidence, will, I am persuaded, not be difficult.

Besides the provisions which I have described as appearing to be essential, I earnestly recommend it to you to consider, whether the adoption of measures for the following purposes might not be attended with great public advantage:—

1. That the session of Parliament be annual, and be ordinarily of two months.
2. That the twelve months assigned for the disallowance of Ionian laws by the protecting Sovereign be reduced to four or three.
3. That each island be represented by at least one member of the Senate.
4. That the Senate shall try public functionaries when impeached, with the advice of the supreme council, as often as required, on points of law.
5. That ministers may be members of either chamber; a provision which experience warrants me in describing as one valuable alike if not even indispensable to liberty and order.
6. That the supreme council be rendered more independent, both of the Lord High Commissioner and of the Assembly, with a view to its greater public weight and utility: and that it be consulted on all judicial appointments.
7. That the large islands be divided into two or three districts each, for the distinct representation of the various local interests.
8. That with a view to economy and efficiency, the local Governments of some of the islands be as far as possible consolidated.
9. That public offices cease to lapse of right at the end of the quinquennium.
10. That further provision be made for the revision of any part of the constitution when required.

Having explained the course of organic legislation on which her Majesty encourages you to enter, I will not now proceed to enlarge upon the general benefits which ought to ensue from the amended construction of your Government; suffice it to say, there is much to be done, and most of all, perhaps, in that which constitutes the elementary and paramount duty of a popular chamber; the regulation of the public taxes and expenditure.

The reformation of the taxes is urgently needed. Your peasantry, sometimes exposed to pressure, pays an artificial price for bread. Your chief products are laden with heavy duties on export. Burdens are not equally shared between town and country, between producers and consumers.

But you cannot effectually reform your taxes without revising your expenditure. And here, too, the need is great. For military protection you pay more lightly, if I reckon aright, than almost any people in Europe; for your civil government perhaps more heavily. It is not that the salaries of your public functionaries are in general too high, but that their number is disproportionate to the number of the population, and to the work to be done. The paid servants of the public, in all their classes, are above 2,200 among 240,000 inhabitants. Such a proportion equals or exceeds even that of the army in other European states to the entire number of the population.

This evil has been fostered by special causes, neither can it be cured in a day. The attempt to apply a too sharp and sudden remedy would defeat itself by cruelty and injustice to individuals, which provoke reaction, and thus impede even wise and salutary change. The case demands forethought and steadiness of purpose; it also absolutely requires the aid of ministerial responsibility, which alone can arbitrate aright between public economy and legitimate personal interests.

There are other sources from which savings may be effected. When constitutional and

stable government shall have been developed in these islands, the charge of their public debt, while it exists, may be reduced. The circulation of notes payable on demand ought to yield some profit to the State. The management of roads, when placed under executive instead of elective officers, may be conducted much more cheaply. I may, in passing, observe, that I shall propose to you the re-organization of your municipal and local Governments; and that I hope it may be found practicable to liberate their ordinary proceedings from the interference of the protecting Power. To resume, on the part of that Power, I shall be ready to lead the way in the work of economy, by proposing to take upon the reserved civil list of the Lord Commissioner, several charges which have heretofore been defrayed out of the general revenue. Nor shall I, on returning to my own country, forget to watch for an opportunity, when the state of English finance may render it practicable, to recommend, as far as in me lies, the further reduction of the still heavy duty of import upon currants, that great staple of the southern islands. But while in regard to some financial improvements I have thus ventured to offer friendly counsels, I trust that all such matters will be hereafter managed, under the action of improved institutions, by your own sagacity and good sense.

I need now detain you no longer on the particular topics to which I have referred. Those of them which I have described as essential, will be brought under your notice forthwith, in the form of resolutions, and by means of a message, since this is the vehicle specified in the Constitution. As to their general scope, gentlemen, these reforms may be easily and briefly described. They are intended to secure to you, in the management of your internal affairs, the full advantage of a constitutional and a stable government; better guarantees for public rights; better adjustment of the influence of the respective classes of society; a more free career in political life for the ability with which the country abounds. They do not tend to complicate, but to simplify your relations with the protecting Power. They create no new bond between the two countries, except it be a new bond of goodwill. England proposes to you a law, and not a contract. She asks from you nothing; not a single point is added to her powers.

Reforms such as these, in the ordinary course of history, are demanded more frequently than offered; are extorted by superior strength more commonly than given of free will. From divisions of opinion in these islands, there has been left to the Crown of England the credit and the grace of making this spontaneous tender, and of urging its acceptance. On the part of my country I feel the difficulty, but I prize the honour. No impulse has prompted her Majesty in her gracious offer, except the sentiment of due benevolence towards the Ionian people, and the conviction that the reputation of England is concerned in their enjoying freedom, prosperity, and contentment, not merely in a degree equal to that of neighbouring or kindred countries, but in the highest degree which it may be in her power to procure.

Her Majesty has now done her part; and the rest, Mr. President and gentlemen, is in your hands.

I entreat you to contradict, by the testimony of facts, the imputations of those who declare that in these islands the spirit of restless demagoguism on the one hand, and the inveterate traffic in place on the other, render good and free government impracticable.

Those official persons for whose conduct the protecting Power is, by the Constitution, made virtually responsible, will, as such, co-operate in this effort on behalf of the Ionian people; for England would not be justified, at such a juncture, in neutralizing any assistance which she can command.

The efficacy, however, of that assistance must ultimately depend not on those who give, but on those who are to receive it. If then you are a feeble State, endeavour to be strong with the strength of reason. Freedom must be freely accepted, or the gift would be poisoned in the act of giving. You can make this effort effectual; you can also make it vain. You can intercept the benefit on its way. You can convert the promise into a mockery. You can prolong or perpetuate the reign of that legislative paralysis, of those administrative abuses respecting which, as the inevitable fruits of a still defective system, you have generally, and recently, and eagerly, and in terms of at least sufficient strength, complained. Of that over which you have no power, I need only say that, having no power, you have no responsibility. Of that which is now within your reach, I shall have said enough when I remind you that here your responsibility is entire; and, further, that the habits engendered by well-ordered freedom for the present, form the only efficacious preparation for the hidden contingencies of the future. I conclude then with giving utterance to the prayer that the Almighty may guide your counsels, and may forbid that the interests of the Ionian people should receive, in this crisis of its destinies, and at the hands of its servants and its sworn defenders, a deadly wound.

MESSAGE CONTAINING THE RESOLUTIONS PROPOSED TO THE LEGISLATIVE ASSEMBLY.

MR. PRESIDENT AND GENTLEMEN,

It has appeared to the protecting Sovereign that it is expedient to provide, by a new Constitutional Act or Acts, for the purposes set forth in the following series of resolutions:—

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1. That the Civil Government of the Ionian State should henceforward consist of—
 - a. A Presidency ;
 - b. A Parliament, comprising a Legislative Senate and a Legislative Assembly ;
 - c. A President and Council of Ministers ; and,
 - d. A judicial authority, together with the necessary subordinate officers.
2. That, until further provision shall be made, the Presidency of the Ionian State shall be held either by the President of the Council of Ministers, or by the Council in its collective capacity.
3. That the administrative powers of the Senate shall, in general, pass into the hands of the Council of Ministers collectively, or of the members thereof.
4. While the Lord High Commissioner will appoint and remove the Ministers, they will, in order to their due harmony with the legislative body, hold office during pleasure only ; and he shall be bound to remove them on a joint address to that effect from the two Chambers.
5. That, with the exception of such heads as her Majesty shall, by Order in Council, within a time to be limited, declare to be requisite for the discharge of her office as protecting Sovereign, all acts in which the Lord High Commissioner now has sole authority shall be performed by him only, with the counter-signature of a responsible Minister ; and all acts in which he has now an authority concurrent with the Senate shall be done without his intervention, by the Council of Ministers, or a member thereof.
6. That as to all new laws, it shall be sufficient, in lieu of reciting therein the approval of the Lord High Commissioner, that there be substituted his simple *visa*, without which they shall not take effect.
7. That relegation under the powers of high police be declared henceforth illegal.
8. That if an exceptional state of law shall at any time hereafter be established in cases of actual or approaching disturbance, it shall not continue after order shall have been restored.
9. That when either Legislative Chamber shall pray her Majesty to grant a judicial hearing of any complaint against the Lord High Commissioner for grave malversation in the exercise of his office, said Chamber shall have the right to send an agent to England to support such petition, and, of its own authority, to order payment of his reasonable charges.
10. That the authority to pass "*Atti di Governo*," as at present defined, be abolished.
11. That the Senate, divested wholly of its initiative and executive powers, shall simply have a veto upon all bills for granting a civil list or budget and for raising taxes, and a concurrent authority with the Assembly in regard to all other bills.
12. That the majority of the Senate be elected, for a lengthened term, by a special constituency ; and that the minor part be nominated by the Lord High Commissioner, for the same term, with the concurrence of the ministry, from among persons qualified in a manner to be determined.
13. That the Assembly shall have the exclusive power to impose taxes, and to authorize public expenditure.
14. That except as herein provided, no tax shall hereafter be imposed, and no outlay of public money authorized, otherwise than upon the proposal of the Executive Government, and to an amount not exceeding such proposal.
15. That the allowance to members of the two Chambers for their needful expenses shall not exceed a daily quota of dollars in the Senate, and dollars in the Assembly, together with an allowance for the cost of journeys ; and that such daily allowance be not reckoned for more than sixty days in any one year, unless a special Act of Parliament shall be passed for the purpose.
16. That the Assembly shall have the right to impeach all official persons before the Senate, and, of its own authority, to order payment of the charges of such impeachment.
17. The municipal and local Governments shall be reorganized ; the existing restraints upon their proceedings shall be re-considered ; and they shall consist of paid executive officers, and of councillors serving gratuitously.

I introduce these resolutions to you in the form prescribed by the seventh section of the seventh chapter of the Constitution ; and I earnestly recommend them to your favourable consideration.

(Signed) W. E. GLADSTONE.

The reforms suggested were duly discussed by the Assembly, but they passed a resolution "that the reform be declared inadmissible ;" and, therefore, the whole effort at improvement proved abortive. Pending these transactions Sir J. Young, the Lord Commissioner, was recalled ; Mr. Gladstone was elected his successor for a short time ; but in February Sir H. Storks, K.C.B., arrived as the new Lord Commissioner.

IONIAN ISLANDS.

Copy of Papers and Correspondence in reference to, or in connection with, the Prorogation of the Legislative Assembly of the Ionian Islands on the 12th March, 1861. (The Marquis of Normanby.) 23rd April, 1861. (76.)

ON the 18th January, the Lord High Commissioner wrote a despatch to the Duke of Newcastle, asking for instruction under the circumstance that the Ionian Assembly was about to discuss the question of union with Greece. Sir H. K. Storks asked instructions on the following points:—If the question of union with Greece be brought before the Assembly as a motion or resolution, should he stop the discussion? If so, should he send the message which he had submitted to the Duke of Newcastle the year before? If the Assembly pays no attention to his message, will a prorogation of the Assembly meet with the approval of her Majesty's Government? If the principles laid down in the despatch of her Majesty's Secretary of State for Foreign Affairs to her Majesty's Minister at Turin, dated 27th October, 1860, are brought under consideration of the Legislative Assembly, should he consider himself at liberty to stop the discussion, and, if necessary, prorogue the Parliament?

The following is a copy of the message proposed to be sent to the Legislative Assembly:—

The Lord High Commissioner has learned that a proposal has been placed on the table of the Assembly having for its object an appeal to the Congress which is about to assemble with reference to a question which has already been submitted to the gracious consideration of the Queen, the Sovereign Protectress of these States, and to which her Majesty has sent a reply.

In her Majesty's gracious answer the Queen has declared that, invested as she is by the treaty of Paris with the exclusive protectorate of the Ionian States, and constituted the sole organ of that State in the Councils of Europe, she can neither consent to abandon the obligations she has undertaken, nor can convey nor permit any application to any other Power in furtherance of any similar design.

The Lord High Commissioner cannot permit such a proceeding as the one now contemplated, and his Excellency appeals to the prudence and public spirit of the Legislative Assembly not to compel him to suspend, by another prorogation, the labours of the Assembly, which are so urgently required by the wants of the country.

His Excellency, therefore, requests that this paper may be withdrawn.

(Signed) H. K. STORKS.

ON the 19th February, the Duke of Newcastle sent a despatch in answer to the above in the following terms:—"Her Majesty's Government are so sincerely anxious to promote these great objects, and so unwilling to see them defeated by the conduct of the Assembly, or the reluctant interference of the Lord High Commissioner, that I have to instruct you, under the circumstances which you anticipate, to carry forbearance to the utmost limits of your duty as her Majesty's representative, and to refrain, if it be possible, from putting an end to the session by prorogation, as long as there is any hope of the Assembly terminating discussions (if unhappily begun), which, I am convinced, that the best and wisest of Ionian citizens must deplore, and devoting itself to its true functions and useful legislation. I must add, however, that to such forbearance there are limits which your own sense of duty will best enable you to fix, and which I will only so far define as to say, that any attempt on the part of the Assembly to violate the Constitution by an appeal to any Power except the protecting Sovereign, and any language or conduct within the Assembly calculated, in your

judgment, to disturb that state of public peace and tranquillity which now prevails throughout the Ionian Islands, would necessarily compel you to prorogue it. With respect to any debate which may possibly, as you suppose, arise upon the principles of Lord John Russell's despatch of the 27th October last, to her Majesty's Minister at Turin, I should be equally desirous that you should refrain from interference with a view to prevent it, in the spirit and within the limits of the above instructions. It is hardly necessary to point out to you what has been so forcibly stated by Lord J. Russell himself during the present session of Parliament, that the despatch in question can have no application, except when the circumstances of the case possess a real resemblance to those which called it forth. In the case of the Ionian Islands, her Majesty the Queen is only performing a duty which has been imposed upon her by the great Powers of Europe, in the interest, not of England, but of Europe, when she declines by any act of hers to terminate the existence of the Ionian Islands as an independent State under her protection, by handing them over, not to any united Greek nationality, which does not exist, but to that section of the race which forms the present kingdom of Greece. Such a step would involve both logically and practically a formidable disturbance of the political arrangements of south-eastern Europe, without providing for the substitution of any safe or satisfactory system in their stead, and without any sufficient justification in the actual condition of the Ionian Islands, which already constitute a State where political and personal liberty in opinion, speech, and action is largely enjoyed, where a wise and patriotic Legislature could at any time remedy the defects which undoubtedly exist in the laws and institutions (a task in which the protecting Power is ready and anxious to co-operate), and where there is ample freedom, within the bounds of reason and possibility, to cultivate the Greek language, literature, and national feeling, and to give an example to the world of good legislation, and the successful exercise of political rights on the part of a Greek community. These, I need hardly say, are some of the facts which broadly distinguish the situation of the Ionian Islands from the state of things in Italy to which the despatch in question referred, which ought to guide the course of any fairly conducted debate, and which at all events must be evident to all candid persons within and without the walls of the Ionian Assembly."

On the 11th March, the Lord High Commissioner transmitted a despatch to the Duke of Newcastle, that the committee of the Legislative Assembly appointed to draw up the address in answer to his speech had presented their draft. And that another document had been laid on the table, being an appeal from the representatives of the Seven Islands to the representatives of the peoples, the Governments, and philanthropists of Christian Europe. Considering these documents as a violation of the Constitution, the Lord High Commissioner would first send a message to the Assembly, requesting the withdrawal of this paper; and, if this effort be unavailing, he would consider it to be his duty to dissolve the Parliament for six months.

The following are the two documents :—

ANSWER TO THE ADDRESS.

The eleventh Ionian Assembly, assembled at the time fixed by the Constitution in its third ordinary session, has reassumed its own right (*ἀντὶδικαίως*), the exercise of its functions. In presence of the unprecedented importance of the circumstances, it considers as more grave the responsibility which it derives from its mission.

The ills of the Ionian people have reached their culminating point. In adverting to the causes of this position, they cannot but find its origin in the system introduced from the first by the Protection to annul the independence of the Ionian people, which even the European treaties, though imposed upon them, acknowledged and proclaimed.

The Protection, having concentrated in itself all authority, has rendered vain the exercise of the right of the native element. All that was in its power to contribute towards the moral Septinsulars (*Ἑπτανησίους*) for the development and advancement of the resources of the country has been neglected (*παράμειχθη*). Arbitrary will has become the index (*γνώμη*) directing the State. The expression of ideas has been circumscribed, and even punished. Personal liberty has been violated and deplorable oppression introduced. Public instruction, although temporarily brilliant, from accidental causes, and unstably and imperfectly organized, has fallen into decay. Bad administration and the waste of public revenues have contributed to produce the deplorable position of the finances of the State. This the contributions to the Protection have aggravated. Moreover, certain liberties, granted after many demands, diverse persecutions, and at a heavy price, were soon falsified. The constitutional rights of the representation have been violated, and the attempts of the Assembly to repress illegality have been nullified; and finally, even the protection due to Ionians abroad has often been wanting, at other times has been converted into oppression, into violation of Ionian laws, and of the decisions of Ionian authority.

These, and similar facts at variance with legality, right, and true progress, and not in conformity with the generous sentiments and the liberal principles of the English nation, have contributed, Excellency, to give rise to the painful position on which, before you, the Assembly, and the world, this Greek society is situated.

To all these the Ionian element has not and does not offer any resistance, other than in the fortitude of the Greek nation and in its natural disposition to progress, and in the ineffaceable consciousness of its own right, and in the hope of its redemption in the omnipotence of the Most High.

The Eleventh Assembly proposes, therefore, again to fulfil its ordinary duties. It will take into consideration the subjects of which your Excellency's speech makes mention; and there being others besides these of no small importance, it proposes to occupy itself as much as possible with these. But, consistently with itself, it is obliged to repeat that, until this Greek people sees shining before it a future worthy of its origin, of its expectations, of its struggles, and of its rights, it will never enjoy a true and stable propriety.

Faithful interpreters of the feelings of the Septinsular people, witnesses and participators in its necessities, the representatives have considered as a sacred and inexorable duty under these circumstances to proclaim these truths. They hope that the moment is not distant in which this Greek country will obtain the true remedy of the evils by which it is afflicted.

ADDRESS of the REPRESENTATIVES of the SEVEN ISLANDS to the REPRESENTATIVES of the PEOPLES, to the GOVERNMENTS, and the PHILANTHROPISTS of CHRISTIAN EUROPE.

The Greek Assembly of the Ionian Islands, and itself the organ of the wishes, the rights, and of the demands of the eternally and continuously indivisible Greek people assembled in the present critical circumstances of the East, feels imposed upon it the exalted duty of national action by words, although it thinks that unjustly, and by the material power of the stronger, the Seven Islands are excluded, against their will (*ἑλθόντες*) and solemn declaration, from the Greek kingdom to the detriment of the Greek race and of European interests, it hastens, notwithstanding, to continue its labours, and in the position of affairs, turns to the Christian world in favour of rights and interests, both of itself and of the nation, to which are attached those of the peace of Europe.

The Seven Islands, having maintained, in the midst of grave circumstances, in the exercise of their rights relative to their emancipation, a legitimate conduct and incomparable order, in the same way that the most civilized people boast of in their politics, have the right to make their voice heard, and are not discouraged if from their weakness their words are despised.

The greatest boast of our days is the respect rendered not merely to material force, but right and speech; and at the moment in which subject Hellenes (*ὑποταγείς Ἕλληνες*, Greek subject to tribute) feel more oppressive than ever the yoke of the desolating (*πνεύσεως τὰ λοιπὰ*) Turkish despotism, the Assembly of the Seven Islands would think it the greatest offence to maintain silence before Christian Europe, which is striving on behalf of humanity.

The land of Greece, under the Turks, needs the care both of Greeks and of Christians everywhere. In violation of all the promises made to the European Powers for an amelioration of the position of the subjects, measures more than ever oppressive of the Government on the one side, the suscitation of a savage fanaticism extending on the other part to inhuman massacres, have carried desperation to its highest pitch; while the threatening opposition on the part of Christian governments, to every attempt at emancipation, suffocates, so to speak, the last groan of the oppressed.

Christian Greeks, under the Turks, could, by deed, render vain the spectre of destruction (*τὸ φάσμα τοῦ θανάτου*) which had fallen on their country in the persons of their Asiatic conquerors, who, having merely encamped for 400 years on the land of Greece, are

wasting away in their very camp which they had pitched on European soil ; upon which soil the Asiatic has never been or ever will be able to live. But the dominant policy, based upon erroneous principles, and setting out from fallacious calculations of self-interest falsely understood, not only abstains from pronouncing in favour of the Greek national enfranchisement, the most just of all, but also directly opposes it, whilst it no longer conceals the impossibility of re-organizing and preserving the already fallen anti-Christian Turkish dynasty. It is, however, consoling that the public and philanthropic individuals in Europe have been touched, and now more than ever seem to sympathize with the oppressed Christians in the East. The prudence and reverence of the Greek race for order, have hitherto dictated to it to afford no just cause for the menacing policy to accuse it either of instability or disorder.

The Greek nation rose in 1831, in the cause of order and humanity, with the view to establish a State, well regulated, and governed by good laws ; to the creation of an European state of things, and to the removal of the existing difficulties in the East. It has found, indeed, after catastrophes, encouragement and assistance, but, at the same time, a limitation on the part of politicians to its civilizing tendencies, to its Hellenic spirit of entire independence, which would restore Greece to Greece. It was wrongfully imprisoned by diplomacy in the narrow limits of the Greek kingdom, and the laudable work of regeneration and civilization which had been embraced by the far-seeing friends of progress was perverted by retrogrades who have succeeded in keeping it unfinished, and often assailed.

The hearth of Greek nationality, so famed in song (*ἡμῶνθεντος Ἑλληνισμοῦ*), was deprived of vigour and of necessary energy, by which, as regards the East, if united with the European principle of progress, would have been produced the plain solution of the existing difficulties, the order and good government of the East, the failure of which at this day threatens not a little the interests and the tranquillity of all nations.

The Greek race continued with a Greek kingdom limited in extent and everywhere hindered in its vitality, with the Seven Islands free and independent as originally decreed ; but prevented, without just or reasonable cause, from entering into the bosom of the Greek kingdom, and enslaved Greece prostrate beneath the yoke of Turkish rule. This third political division of the Greek nationality is not only a gross injustice, but an error, from the grievous consequences of which Greece is now suffering, and to which Europe herself, at the prospect of the dangers she is incurring, is already becoming sufficiently alive.

Unfortunate Greece, notwithstanding all the sorrows to which she has been condemned, and all the attacks and calumnies to which she was exposed in 1854, as the supposed instrument of foreign designs, leaped with joy at the sight of Italian freedom. The sons of Greece hurried thither, and took part in the contest of nationalities in behalf of freedom ; and the declarations of statesmen that nations themselves are the only judges of their wants, and alone entitled to decide upon their lot, revived hopes of a happier future in the breast even of the suffering Greek.

Notwithstanding this, in Greece the right is practically desired of placing over the crescent the cross, the symbol of its salvation, the foundation and soul of modern European civilization. Notwithstanding this, the Seven Islands themselves, the first star in the political regeneration of the East, and a country already declared independent, take no part in the freedom of the Greek soil, whilst the English Government proclaims its respect for rights, and recognizes the claims of nationalities ; whilst the same Government has both witnessed and known, and by its political acts has officially recognized, the unanimous and sacred sentiment of this Assembly in behalf of its national restoration. In this state of things Greece is deprived of the advantages which have smiled upon Italy, and has only the Parliaments of Athens and Corfu, through which the voice of injured humanity and the protest of the Greek race by its Greek representatives can alone be heard.

What comparison is there between populations slaughtered by barbarians like wild beasts, and people subjected to dynasties which, although tyrannical, are still European ? What comparison is there between the Greek rayah, having no security, not to speak of political and civil rights, but no security of personal safety and property, and the oppressed inhabitant of the most absolute European government ? Universities, schools, arts, manufactures, political orders, are found in every part of Europe ; but in the enslaved land of Greece, where first European civilization was cultivated, and whence Christianity was taught, where are they ?

Further, what comparison is there between the free and independent Seven Islands now decaying and falling to ruin, civilly, politically, and economically, in the narrow circle in which they are placed, precluded from partaking in the common lot of the free portion of their nation, hindered from contributing to the civilization of the East, between this Septinsular State in the removal from which of foreign guardianship no princely, dynastic, or other similar rights would suffer, and the States of Italy, whence dynasties the most ancient have been driven, princes have been kicked out (*ἀπεκλισθήσαν*), and tributary rights recognized by treaties, and geographical divisions according to international law have been abolished within the most narrow limits of existing legality ? The Greek of the Seven Islands makes use of words alone on behalf of his rights, as often as the superior authority does not prevent even this. In his behalf in the invincible force of justice, patient and persevering, he is persuaded that the declaration of the weak, based on justice, will be respected and finally carried

out by the reaction of superior material force ; but the despair which has overcome the Greek under the Turks, this may perhaps produce a general convulsion. If this convulsion ever arrives, will it profit Christian Europe ? Will it secure its peace ?

The Greek Assembly of the Septinsular State must speak to the politicians of Europe, with respect but with boldness, one further truth, by many either overlooked or ignored. The Hellenic race from remote times has guarded intact its spirit and its expectations. It has been corrupted by no conqueror. It has not served but itself, and its mission, which not only does not combat, but, on the contrary, secures the mission and interests of Europe. It has sympathy only with those who love its independence and its greatness. It has only looked from the earliest times to its own political unity, which at this day alone can save it, and can offer a secure pledge to Europe for the peace, the security, and the independence of the East, incomparably superior and firmer than all others.

The Assembly of the Seven Islands again raises its feeble voice on behalf of humanity, of Christianity, and of freedom, invoking Christian Europe in favour of the emancipation of the whole Greek race, and of its incorporation with the existing Greek kingdom without a convulsion, in the confusion of which Europe, perhaps, would be the first to suffer.

Let England restore to the kingdom of Greece the trust, which before the formation of that kingdom was confided to her on account of circumstances which have long ceased to exist. This is the first step which the interest of Europe and the rights of Hellenism (*ἡ δίκαια τῆς Ἑλληνικότητος*) require. The question (*Ζήτημα*) of the union of the Seven Islands to the existing (*νῦν*) Greek kingdom is not a question. This even on behalf of England herself, by the English Government itself, has lately been solved by the communication which the administration of England addressed, on the 15th (27th) of October, 1860, to the English ambassador at Turin, and by the whole conduct of the English Government as regards Italian affairs. Truth and justice are not changed by place and nationalities.

These are, and must be the same, whether for an Englishman, for an Italian, or for a Greek—in short, for the strong as for the weak ; and duty requires in a greater degree (*ἐπιτακτικώτερον*) on the part of the stronger, the execution and fulfilment of the principles and dogmas acknowledged and proclaimed by himself (*παρ' αὐτοῦ τῶν ἰδίων*).

Europe, casting a single glance on Greece and the Ionian Islands, can easily convince herself that Greeks have all those requisites necessary that there should no longer be withheld from them the political direction of their beautiful country, the independence and peace of which, consolidated as it should be, interest the freedom and the security of the whole European society.

(Signed)

COSMA PANARETOS.
GEORGIOS BERIKIOS.
CONSTANTINO LOMBARDO.

House of Assembly, 25th (o.s.) February, 1861.

On the 12th March, 1861, the Lord High Commissioner informed the Duke of Newcastle that the Assembly insisted upon discussing the documents laid on the table, and that seeing that there was no hope of attention being paid to his request, but that a scene of confusion and violence would probably issue, ending in some resolution more illegal and more unconstitutional than the proposals themselves, he reluctantly prorogued Parliament for six months. The most perfect tranquillity prevailed, and the prorogation had created no sensation. In answer to this communication the Duke of Newcastle, on the 5th April, 1861, wrote as follows :—“ Her Majesty’s Government regret to find that the Ionian Representatives have not thought right to address themselves at once to the task of useful legislation, in which the protecting Power is ready and anxious to co-operate with them, and for which there is ample scope within the limits of that constitution which they have themselves accepted, and to which they have sworn fidelity. They have, however, chosen to depart widely from those limits, and to engage in discussions which tend, so far as they possess any importance, to overturn those relations between the Ionian Islands and the protecting Power, as well as between the former and all neighbouring nations, which it is the duty of the protecting sovereign to maintain. While, therefore, her Majesty’s Government fully adhere to that policy of forbearance which was prescribed to you in my despatch of the 19th February, I have the satisfaction of informing you that, under the circumstances which have arisen, they approve of the decided course which you have taken. I

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am happy to find that perfect tranquillity prevails throughout the Islands, so that no repressive measures of any kind are required, and the Ionian people continue to enjoy the blessings of order and freedom, unaffected by the conduct of the Assembly. I cannot but hope that an enlightened public opinion may hereafter exercise greater control over those who have led that body into its recent proceedings, so that the Ionian Parliament may be permitted by its own members to improve the laws of the State, and may accord to the Ionian people the advantages and the dignity of free and national legislation."

BRITISH NORTH AMERICA.

Reports of Progress, with a preliminary and general Report on the Assiniboine and Saskatchewan Exploring Expedition, made under instructions from the Provincial Secretary, Canada, by Henry Youle Hind, M.A., Professor of Chemistry and Geology in the University of Trinity College, Toronto.

ON the 27th April, 1858, Professor Hind was instructed to procure all the information in his power respecting the geology, natural history, topography, and meteorology of the region of the country lying to the west of Lake Winnipeg and Red River embraced and between the rivers Saskatchewan and Assiniboine as far west as South Branch House on the former river.

Professor Hind first gave a notice of the Qu'Appelle, or Calling River, and the diversion of the waters of the south branch of the Saskatchewan down its valley, with a view to the construction of a steamboat communication from Fort Garry, Red River, to the foot of the Rocky Mountains. The discoveries of gold in British Columbia have invested with great interest the facilities for communication which exist between the Atlantic and Pacific seaboard, north of the 49th parallel.

Gold on the Pacific slope of the Rocky Mountains, within British territory, will probably induce a large emigration to that quarter, and speedily create great commercial activity. For the sake of the valley of the Saskatchewan great efforts have been made in Canada to establish a communication between it and Lake Superior, which, for commercial purposes, is, in effect, the same as the St. Lawrence and Atlantic. Americans are already following that route; and a steam route has been prepared as follows:—Lake Winnipeg is to be gained from Lake Superior by taking advantage of the navigable reaches of water on Dog Lake, Milles Lacs, Rainy Lake, Rainy River, and the Lake of the Woods, with intervening roads and portages. The valley of the Qu'Appelle River joins the Assiniboine a few miles above Fort Ellice, and by the windings of the river valley, about 360 miles from Fort Garry. It is 270 miles long. The narrowest breadth of the valley is half a mile; its greatest breadth about a mile and a half.

The country traversed by the expedition is embraced between the 49th and 54th parallels of latitude and the 96th and 107th degrees of longitude. The lines of exploration crossed an area of about 80,000 square miles, or nearly equal to that of Great Britain. The form of this area is similar to that of a parallelogram, being bounded on the south by the 49th parallel,

and a line drawn from the point where the Little Souris River cuts it, to the elbow of the south branch of the Saskatchewan.

On the east it is bounded by the west coast of Lake Winnipeg, on the north by the Main Saskatchewan, and on the west by the south branch of that river. The longest diameter of this parallelogram from Pambina to the grand forts is about 450 miles, and its transverse diameter slightly exceeds 360 miles.

Prominent among the physical features of this region are vast expanses of water, which occupy the larger portion of its eastern area. Lake Winnipeg is 300 miles long, and in several parts more than 50 miles broad. Lakes Manitobah and Winnipegosis together are nearly of the same length, and the broadest part of the first-named is not less than 35 miles across. Nearly the whole country between Lake Winnipeg and its western rivals is occupied by smaller lakes, so that between the valley of the Assiniboine and the eastern shore of Lake Winnipeg fully one third is permanently under water. These lakes, both large and small, are shallow; and in the same water area show much uniformity in depth and coast line. Several hundred soundings in Lakes Winnipeg and Manitobah showed a greatest depth of 64 feet, which is exceeded by that of the Qu'Appelle Lakes in the valley of the Qu'Appelle or Calling River. Some of the smaller lakes are of dimensions which entitle them to notice. Such are St. Martin's Lake, with an area exceeding 300 square miles; Water-hen Lake; Ebb and Flow Lake, and Dauphin Lake, both covering an area of more than 150 square miles.

The areas fit for settlement in the valley of the Assiniboine and Saskatchewan is extensive. The total area of arable land of first quality was estimated as follows:—Red River and the Assiniboine Prairies east of Prairie Portage, 1,500,000 acres; eastern water-shed of the Assiniboine and La Rivière Salé, 3,500,000 acres; Long Creek and the Forks of the Saskatchewan, 600,000 acres; between Carrot River and the Main Saskatchewan, 3,000,000 acres; the Touchwood Hill range, the Moose Woods, &c., 500,000 acres; Little Souris, or Mouse River, Qu'Appelle River, White Sand River, 1,000,000 acres; the region about the head-waters of the Assiniboine, including the valley of Swan River, 1,000,000 acres: total, 11,000,000 acres.

The country in the valley of Long Creek, at the Touchwood Hills, and on the south-east flank of the Riding Mountains, is very rich. The valley of the Rapid River is extremely beautiful and fertile until within a few miles of its junction with the Assiniboine; it offers the most attractive and desirable place for settlement in any part of the country we have explored. The stream abounds in fish; the flats in the valley are covered with the richest herbage; timber, consisting of aspen, poplar, and oak, is abundant; the prairies on either side are clothed with the greatest luxuriance of vegetation; the scenery is very attractive, and the river navigable down stream for canoes and batteaux to the Assiniboine. Where the Rapid River enters the Riding Mountain, balsam and white spruce appear, and our explorations on the east flank of the range showed that large birch, spruce, poplar, and aspen flourished on the summit plateau. Fires here, as elsewhere, have damaged the forest which once covered the country. Vast numbers of young oak and aspen are springing up in all directions on the prairie fringing the river near our trail. Birds are very numerous in this region; every lake contained duck, with their young. The aspen groves and

willow clumps were alive with grackle and yellow birds congregating in flocks. Humming-birds were also observed, as well as the American cuckoo and the solitary thrush. In the marshes, herons, cranes, and bitterns are numerous. Hoar-frost again noticed early this morning. Equally beautiful is the scenery of the country south of Manitobah Lake. But in other places, however, the land is low and marshy.

The habits and customs of the Indians were described as follows :—

In the following paragraphs I shall endeavour to describe some incidents which will show how far old superstitions and customs prevail among the Indians occupying the country between Red River and the south branch of the Saskatchewan.

Early last spring, the warlike bands of Ojibways, called the *Lac la Pluie* Indians, were thrown into a state of savage excitement by the arrival of messengers from their friends on Red River, with tidings that two Sioux had been killed and scalped in the plains. In testimony of this triumph they brought with them two fingers severed from the hands of the unfortunate Sioux. The announcement of the intelligence that the scalps would be sent after their Red River brethren had celebrated war dances over them, was received with wild clamour and shouting. After the scalps had been carried from hand to hand, and the victory that won them triumphed over with dancing, singing, and feasting, they would be returned to the warriors who took them, and finally suspended over the graves of relatives or friends mourning the loss of any of their kindred by the hands of the Sioux.

The Wood Indians assemble in the spring to celebrate their medicine feasts and other ceremonies. During the summer they separate into families or small bands, and hunt, fish, or go to the plains in search of buffalo. At the approach of winter they "take debt," or otherwise obtain supplies at the different posts of the company, and retire to their winter quarters to trap the fur-bearing animals. The Plain or Prairie Indians follow the buffalo, and vary the monotony of their existence by forming war parties against their enemies, such as the Plain Crees against the Sioux and the Blackfeet, the Ojibways against the Sioux.

When on the south branch of the Saskatchewan last August, we found the Plain Crees hastening from the west to the east bank of the river, at the elbow, with a strong war-party of Blackfeet in pursuit. The chief, Shortstick, pointed out some of his band who had penetrated through the Blackfeet country to the Rocky Mountains two years ago, and returned with several scalps, grizzly bear claws, necklaces, pipes, and other trophies of success. He also related with much feeling how twenty-five young warriors had gone on a similar excursion the summer before last, but none had yet returned. Last July (1858) a large body of the Plain Crees met a portion of the Blackfeet tribe at the Eagle Hills, on the north branch of the Saskatchewan, to arrange terms of peace. All matters went on smoothly, and the representatives of the two nations separated as friends. Some of the Crees, however, incapable of resisting the opportunity, stole some horses from the Blackfeet. They were pursued, and three of them taken. One was killed instantly; the others were led back in triumph to the camp of the Blackfeet. They were stripped, their hands were tied behind their backs, a hole was bored through both wrists, and a stick passed through them and so tightly fastened that it could not be removed without assistance; the captives were then separated, and dismissed singly to find their way to their friends. One only reached his tribe, and was lying in a tent which we passed on the banks of the Qu'Appelle, near the south branch.

Shortstick, when relating these adventures, held up the pipe he had in his hand, and exclaimed, "This is what my Blackfoot friend gave me one day, the next he killed my young men; he is now my enemy again." I expressed a wish to purchase the pipe. The chief's reply was, "Take it," handing it to me with a gloomy frown, and silently extending his hand for the common "clay" which I was smoking at the time. The great chief of the Plain Crees is styled "the Fox." He is held in high estimation by all the Plain Indians with whom he comes in contact, either in peace or war. He is dreaded by the Sioux, the Blackfeet, the Bloodies, the Fall Indians, the Assiniboines, and all the tribes who occasionally hunt on the Grand Coteau de Missouri and the south branch of the Saskatchewan.

The cruel, barbarous treatment of prisoners so often described in narratives of Indian warfare is common even now in the prairies south of the Qu'Appelle and Assiniboine. Not a year passes without two or more of the Red River half-breeds being scalped by Sioux; sometimes, as was the case last year, quite close to the settlement of St. Joseph, near the boundary line, about thirty miles west of Red River. When a prisoner is taken, the Sioux sometimes adopt a terrible mode of death during the summer season. They have been known to strip a half-breed, tie him to a stake on the borders of a marsh in the prairie, and leave him exposed to the attacks of millions of mosquitoes, without being able to move any part of his body, and when the agony of fever and the torment of thirst come upon him, they leave him to die a dreadful, lingering death, with water at his feet, and buzzards hovering and circling around him in greedy expectation.

By way of illustrating the character of the medicine or conjuring ceremonies which may

be witnessed during all seasons of the year, when several families are encamped together, I shall describe a scene of which I was an eye-witness last summer, near the Hudson Bay Company's post in the Touchwood Hills, between the south branch of the Saskatchewan and the Assiniboine. The conversation was carried on in Cree, but, I believe, faithfully interpreted to me by the officer then in charge of the post, who was present. The interpretation was pronounced exact by one of the Cree half-breeds attached to my party.

At the time of my arrival at this post, a conjuror of some celebrity was endeavouring to cure a sickly woman by the exercise of his cunning. The sick woman was lying in a buffalo-skin tent. The conjuror, painted and decorated, employed himself in beating a medicine drum within a few feet of her, and singing at intervals the following words, first uttered slowly, with a pause between each word, then as in ordinary conversation, lastly, with energy and rapidity :—

“Great—is—the—man—who—walks—
In—the—middle—of—the—earth,—
He—is—the—only—true—Lord.”

The word “lord” is not employed in the sense of supreme master, but is rather intended to convey an idea of independence and individual power, and is better expressed in English, as the half-breeds informed me, by the word “gentleman.”

The conjuror occasionally came out of the tent; and whenever the supposed Manitou or fairy, who was the alleged cause of the woman's illness, approached, a little bell, suspended from the poles supporting the tent, tinkled, and gave the alarm; the conjuror immediately seized his drum, commenced his song, and by his incantations succeeded in pacifying the Manitou. These proceedings continued for two nights; at the close of the second night, after a prolonged ringing of the little bell, violent shaking of the tent poles, loud beating of the drum and chanting of the words before quoted, the conjuror announced that he had discovered the reasons of the Manitou's anger, and the means to appease it.

“You had a dream,” said the conjuror, “and when you rose in the morning you promised to make an offering to the Manitou; you have forgotten your pledge, and you are sick.”

The woman demanded what she had dreamt and what she had promised, avowing her ignorance of both dream and promise. The conjuror told her that when the buffalo were around her tent last winter, and no fear of starvation before her eyes, she had dreamed that the buffalo would always surround her, that famine and sorrow were always to be strangers to her, and, in gratitude, had vowed to make a sacrifice of her best robe. The woman, wearied no doubt with the conjuror's unceasing drum and song, probably, too, believing that a false confession was the lesser evil, as it might bring the promised relief, acknowledged that the conjuror was in the right. The penalty she was told to pay consisted of the sacrifice of throwing away two robes, or double the amount of the promise she had made; after which her health was to be restored.

Scenes similar to the one just described may be witnessed whenever several families are camping together; but the sacrifices required to be made depend upon the ability of the deluded creatures to satisfy the demands of the conjuror.

“The Happy Hunting Grounds,” the Heaven of Indians, so often spoken of by writers of fiction, are an actual reality in the imaginations of Crees and Ojibways, as well as of other north-western tribes. A Plain Cree on the Qu'Appelle gravely informed one of my men that he had been dead once, and visited the spirit world. His narrative was to the following effect:—“I was sick, and fell asleep. I awoke on the bank of a deep river, whose waters were flowing swiftly and black from a great mist on the south to a great mist on the north. Many other Indians sat on the banks of the river, gazing at its waters, and on the gloomy shore which lay wrapped in mist on the other side. Time after time the mist before us would roll away and reveal the mouth of another great river pouring its flood into the one on whose banks I was sitting. The country to the south of this river was bright and glorious, to the north dark and gloomy. On the one side were the happy hunting grounds, on the other the hunting grounds of the bad Indians. Time after time my companions tried to cross the swift stream before us, in order to reach the happy hunting grounds; some arrived in safety, others reached the north bank, and disappeared in the mist which overhung the bad country. I tried at last, but the current was too strong for me, the recollection of bad deeds prevented me from stemming the current, and I was swept on to the north shore of the opposite river. I scrambled up the bank, and spent many moons in hunting in that dreary land; always on the point of starving, or being hurt by enemies, or wet, and cold, and miserable. At length I came upon a river like the one I had crossed, with mists and a great stream opposite, breaking clouds, revealing happy hunting grounds on one side, and a more gloomy and terrible country on the other side. Other Indians were there before me, looking at the river and trying to cross; many succeeded, a few were swept to the bad country: these were very wicked Indians. I tried to cross. I knew I had been a good Indian in this dreary hunting ground. I took courage, and swam strong against the stream. I reach the happy hunting grounds; all my sorrow disappeared as I climbed to the top of the bank and saw before me Indians numerous as grass leaves, buffalo on the distant plains as thick as rain-drops in summer, a cloudless

sky above, and a warm, fresh, scented, happy breeze blowing in my face. I sank to sleep, and woke alone in my tent in these prairies again."

Whatever faith the Indian medicine men possess in the efficacy of their charms, it is certain that they entertain great respect for the white man's medicine. A laughable incident occurred at the Touchwood Hills. The conjuror of whom mention has just been made entered the room at the post where I was sitting with Mr. and Mrs. H., who were temporarily in charge. The Indian and a companion seated themselves upon one of my boxes, which contained a small medicine chest. Mrs. H. asked me to give her some sticking-plaister. I crossed the room to open the medicine chest, when Mrs. H. (a half-breed) said to her husband, in the Cree language, "Will his medicines do me any harm if I stop here while he opens them?" Mr. H. answered, jestingly, "Yes; you had better go into the other room." On motioning the Indians to move, they rose, and I opened the chest. The moment they saw the bottles, they hurried out of the room, hastened to the summit of a neighbouring hill, and, divesting themselves of every article of clothing, shook their garments repeatedly, and, after hanging them on bushes in the sun, squatted on their haunches to await the deodorizing influence of the breeze.

In the valley of the Qu'Appelle River we frequently found offerings to Manitou or fairies suspended on branches of trees; they consisted of fragments of cloth, strings of beads, shreds of painted buffalo hide, bears' teeth and claws, and other trifles. Our half-breeds always regarded them with respect, and never molested or liked to see us molest these offerings to Manitou. This custom prevails everywhere in the valley of Lake Winnipeg, and it may truly be said that the medicine drum is heard far more frequently in some parishes of Selkirk Settlement than the sound of church bells.

A conjuror celebrated for the potency of his charms will often exercise a very injurious influence over an entire band consisting of ten or twelve families, in deterring them from frequenting particular hunting or fishing grounds if they offend him. Out of numerous instances of this dangerous influence I select the following. It occurred on the Dauphin River. When ascending that stream we came upon a large camp of Ojibways, who were on their way to the Hudson Bay Company's post at Fairford. Their usual wintering place was at the Pike's Head, near the mouth of Jack-fish river, an excellent fishing station on Lake Winnipeg, but they had abandoned the intention of wintering there, in consequence of a threat which had been conveyed to them from a noted conjuror styled "the Badger," of the Grand Rapid of the Saskatchewan, to the effect that if the band ventured to winter at the Pike's Head, "he would do something." This ambiguous threat was quite sufficient to deter them from visiting their old haunts, and would probably be instrumental in producing much suffering, if not actual want, to many of the band.

There are many places on Lake Winnipeg and Manitobah, which the Indians who hunt and live on the shores of those great lakes dare not visit. There is scarcely a cave or head-land which has not some legend attached to it, familiar to all the wanderers on these coasts.

On the west side of Lake Winnipeg, in the long, dark, and gloomy chambers formed by fissures in the limestone, bad spirits are supposed to dwell, according to the belief of the Indians who hunt on the coast, and he would be a powerful charmer who could induce a heathen Indian to approach, much less enter, the abodes of these imaginary Manitous.

Near Limestone Cave Point are several of these supposed fairy dwellings. When an Indian approaches them in his canoe, he either leaves an offering or cautiously gives them a wide berth.

On Lake Manitobah, Steep Rock Point is a noted dwelling-place for the "Little Men." Some of the traditions connected with these places are very absurd, and appear to have little meaning to civilized men; nevertheless, among the barbarous tribes of those regions, they are associated with their past history, or with the history of the race that preceded them. Manitobah Lake, a body of water of very imposing dimensions, having an area of 1,900 square miles, derives its name from one of these superstitions. I stayed for three days on this dreaded island, where a Manitou dwells, but although Indians passed and repassed, heard and answered our shots, yet they could not be persuaded to land. The only evidence of fairy presence which I met with, was the "fairy-like music" of the waves of Lake Manitobah, beating upon the hard limestone shingle on the beach, and producing a very beautiful and melancholy resemblance to distant church bells. All night long this ringing, musical sound was heard, and would, no doubt, in the active imagination of Indians, suggest the existence of those Manitous with which they people the air, the water, the forests, and the caves of the earth.

Sacrifices and offerings are of very frequent occurrence among the Indians of the Saskatchewan Valley. The customary offering consists of two, three, and sometimes five dogs. At the mouth of the Qu'Appelle River, an Indian, in June last, set his net and caught a large fish of a different kind to any with which he was familiar. He immediately pronounced it to be a Manitou, and carefully restoring it to the water again, at once sacrificed five valuable dogs to appease the anger of the supposed fairy. On approaching Long Lake, an arm of the Qu'Appelle River Valley, the Crees warned us not to visit the lake by night, as it was full of devils. They told me very extraordinary tales of the dimensions and power of these devils, and appear to live in awe and terror of them.

Like most heathens and barbarous races, Indians suffer much from their superstitious fears. When the weather is fine, and their tents are well supplied with provisions, they are an independent and joyous people. Full of frolic, and fond of relating anecdotes, they laugh immoderately at any trifling joke or absurdity, and seem thoroughly to enjoy existence.

When visiting the Crees of the Sandy Hills, on the south branch, and passing the door of the tent belonging to Shortstick's eldest son, who accompanied me, I observed a young squaw outside, leaning upon sticks, evidently in great trouble, and weeping bitterly. The moment she saw us she hobbled into the tent, with a low cry of pain, and closed the entrance, I asked the interpreter what this meant. After some conversation with her husband, he said that the woman was suffering from a beating he had given her for a violation of her faith during his absence in the spring on a war excursion. "I would have killed her," muttered the husband, "but I thought it a pity to kill two at once. She had her choice whether she would have her hair, her nose, or her ear cut off, or whether she would have a beating. She chose what she has got; and I would have killed her had I not known I should regret having killed both." It is needless to add that the woman soon expected to become a mother.

Smearing the skin with different coloured pigments is a universal custom among the wood and prairie Indians. Sometimes the operation is very tastefully performed. Warriors on the "war-path" paint the figure of the hand over the mouth, as used in sounding the war-whoop: this is a distinctive sign that the Indian so decorated has been recently, or is still, engaged in the pursuit of his enemies. Vermillion is the most coveted colour. The Ojibways are very fond of decorating their faces with this brilliant pigment. The plain Crees are partial to white and green; and not only paint the face, but also the chest and arms. The plain Crees cut and gash the skin and flesh on the arms, sides, chest, and legs, as a token of grief for any deceased friend or relation. My friend Shortstick's body was dreadfully disfigured by scars from wounds made by himself in manifestation of his grief.

The origin of the aborigines on this continent still remains enveloped in thick darkness. Many of their manners, superstitions, and customs correspond to those of Orientals, and it is not improbable that modern ethnologists may be on the right track in their efforts to solve this deeply-interesting question.

Humboldt tells us, in his *Aspects of Nature* that he "regards the existence of ancient connexions between the inhabitants of Western America and Eastern Asia as more than probable; but by what routes, or with what Asiatic nations the communications took place, cannot at present be decided. A small number of individuals of the educated priestly caste might, perhaps, be sufficient to bring about great alterations in the civil and social state of Western America.

"The stories formerly narrated of Chinese expeditions to the New Continent really apply only to voyages to Fusang or Japan. On the other hand, Japanese and Sian-Pi, from the Corea, may have been driven by storms to the American coast and landed there. We know, as a matter of history, that Bonzes and other adventurers sailed over the eastern Chinese Seas in search of some medicine which should entirely prevent death. Under Techn-schi-kuang-ti, 209 years before our era, 300 young couples (young men and young women) were sent to Japan, and, instead of returning to China, they settled at Nipon. May not similar expeditions have been driven by storms or other accidents to the Aleutian Islands, to Alaska, or to New California? As the western coasts of the American continent trend from north-west to south-east, and the eastern coasts of Asia in the opposite direction, or from the north-east to the south-west, the distance between the two continents in 45 deg. of latitude, or in the temperate zone, which is most favourable to mental development, is too considerable to admit of the probability of such an accidental settlement taking place in that latitude. We must, then, assume the first landing to have been made in the inhospitable climate of from 55 deg. to 65 deg., and that the civilization thus introduced, like the general movement of population in America, has proceeded by successive stations from north to south. The remains of ships from Cathay, i.e. from Japan or China, were supposed to have been found on the coasts of Northern Dorado (called Quivira and Cibora), at the beginning of the sixteenth century. Our knowledge of the languages of America is still too limited, considering their great variety, for as yet entirely to relinquish the hope of some day discovering an idiom which may have been spoken, with certain modifications, at once in the interior of South America and in that of Asia; or which may at least indicate an ancient affinity. Such a discovery would certainly be one of the most brilliant which can be expected in reference to the history of mankind. But analogies of language only deserve confidence when the inquirer, not resting in or dwelling on resemblances of sound in the roots, traces the analogies into the organic structure, the grammatical forms, and into all which in languages shows itself as the product of the human intellect and character."

In order to understand the character and nature of wild Indians, they must be seen in their tents when well supplied with provisions, and disposed to be cheerful and merry. In the prairies, when on horseback, they are often quiet and watchful, always on the look-out, and if twenty or thirty are in a band, they generally manage to see a suspicious object in the distance at the same moment, so that a simultaneous note of exclamation is uttered by most or all of the party. In hunting the buffalo they are wild with excitement, but no scene or incident seems to have such a maddening effect upon them as when the buffaloes are successfully

driven into a pound. Until the herd is brought in by the skilled hunters all is silence around the fence of the pound, men, women, and children, with pent-up feelings, holding their robes so as to close every orifice through which the terrified animals might endeavour to effect an escape. The herd once in the pound, a scene of diabolical butchery and excitement begins; men, women, and children climb on the fence and shoot arrows or thrust spears at the bewildered buffalo, with shouts, screams, yells, horrible to hear. But when the young men, and even women jump into the arena amidst the dying and the dead, smear themselves with blood, thrust their arms up to the shoulders into the reeking bodies of their victims, the savage barbarity of the wild prairie Indian shows itself in its true colours. Not even a scalp dance over many fallen foes affords such a terrible picture of degraded humanity as a large band of prairie Indians, some hundreds in number, during and after the slaughter of buffalo in the pound.

The condition of the Indians of the Saskatchewan Valley at the present day is very different to what it used to be half a century since. Not only have imported diseases greatly diminished their numbers, but game of different kinds has become so scarce that during some seasons starvation is no fiction.

In sickness, prairie Indians are much depressed, and often seek consolation in the monotonous drum of the medicine man and his heathenish incantations, an infliction which the grosest and most debased superstition alone would tolerate, submitted to with hope and confidence, however, by men who are anxious and timid during the roll of thunder, invoking the Great Bird, by whose flapping wings they suppose it to be produced, or crouching from the blink of his all-penetrating eye, which they allege is the lightning's flash.

The ties of kindred and relationship are of a very complex character among the Ojibways. In more than one instance a singular exemplification of cross relationship occurred during our voyage on lakes Winnipeg and Manitobah, which is perhaps worthy of being recorded, as it may serve to show the permanency of ancient customs and traditions among families now dwelling nearly 1,000 miles west of the hunting grounds of their ancestors. Near the mouth of the Little Saskatchewan we met an Indian family in small canoes journeying towards the mouth of the Red River. The family consisted of a young Indian, his wife, and two little children. The father was born on the shores of Lake Winnipeg, and had never travelled east of the lake. After a few words had passed between him and a half-bred Ojibway from Lake Superior (Wigwam), they shook hands and proclaimed themselves related to one another. Each belonged, as I was informed, to the tribe which bore the name of the "Bear," and having, by some means, which Wigwam could not or would not explain, ascertained this fact, they spoke to one another as brothers. A similar relationship was established between Wigwam and another Ojibway on Moss River, solely as he informed me, because his own and his newly found friend belonged to a tribe whose distinctive name was the "Bear." The Cree half-breeds told me that in their communication with the Ojibways of Lake Winnipeg, and, further west, this recognition of relationship not unfrequently took place between individuals who met for the first time, and who were born and lived in districts far apart. In connection with this singular kind of relationship and the bearing it may possibly have upon the origin of the Indian races, I append the following extract from an ethnological paper read at the Montreal Meeting of the American Association for the Advancement of Science, by Lewis H. Morgan, Esq., of Rochester, N. Y.:—

"It has occurred to me, after a careful examination of the system of consanguinity and descent of the Iroquois, that we may yet be able, by means of it, to solve the question, whether our Indian races are of Asiatic origin. Language changes its vocabulary not only, but also modifies its grammatical structure in the progress of ages; thus eluding the inquiries which philologists have pressed it to answer; but a system of consanguinity once matured and brought into working operation, is, in the nature of things, more unchangeable than language—not in the names employed as a vocabulary of relationship, but in the ideas which underlie the system itself. The Indo-European nations have one system, identical in its principal features, with an antiquity of thirty-five centuries, as a fact of actual record. That of the Iroquois is original, clearly defined, and the reverse of the former. It is, at least, to be presumed that it has an antiquity coeval with the race. That of the Chippewa is the same as the Iroquois, with slight modifications; thus establishing the fact of its existence in two of the principal generic stocks. Besides this, there are traces of the same system among the Aztecs, Mohaves, Creeks, Dicotas, Delawares, Winnebagoes, and other races, all tending to show that the system has been, and now is, universal upon this continent. Should this last fact be established, the antiquity of the system, as coeval with the Indian race upon the continent, will also become established. Upon the basis of these two facts, and assuming that these two races are of Asiatic origin, we may predict the existence of the same system in Asia, at the present moment, among the descendants of their common ancestors, if any remain.

"A brief explanation of the principal features of the system of the Iroquois is annexed, which will assist in working out every other, particularly if they are founded upon the same ideas.

"The institutions of the Iroquois were founded upon the family relationships; in fact, their celebrated league was but an elaboration of these relationships into a complex system

of civil polity. At the base of this were their laws of descent. They were unlike both the civil and the canon laws; but yet were original and well defined. The chief differences were two: first, descent among the Iroquois followed the female line, or passed through the mother; while in each of the former systems it follows the male, or passes through the father. In the second place, the collateral lines, with the Iroquois, were finally brought into or merged in the lineal; while, in the other cases, every remove from the common ancestor separated the collateral lines from the lineal, until after a few generations actual relationship ceased among collaterals.

"To bring out distinctly this code of descent, it will be necessary to give a brief explanation of the division of the Iroquois into tribes, the union of the several tribes into one nation, and of the several nations into one league. Without a reference to their civil organization, it would be impossible to present it in an understandable form.

"In each of the five nations who composed the original league, there were eight tribes, named:—Wolf, Bear, Beaver, and Turtle; Deer, Snipe, Heron, and Hawk. The Onondaga nation, therefore, was a counterpart of the Cayuga, each having the same number of tribes, and of the same name; so also, interchangeably, of the Oneida, the Mohawk, and the Seneca nations. In effect, the Wolf tribe was divided into five parts, and one-fifth part of it placed in each of the five nations. The remaining tribes were subjected to the same division and distribution. Between the individual members of the Wolf or other tribe thus divided, or, in other words, between the separated parts of each tribe, there existed the tie of consanguinity. The Mohawk of the Turtle tribe recognized the Seneca of the Turtle tribe as a relative, and between them existed the bond of kindred blood. In like manner, the Oneida of the Hawk tribe received the Onondaga or the Cayuga of the same tribe as a relative, not in an ideal or conventional sense, but as actually connected with him by the ties of consanguinity. Herein we discover an element of union between the five nations, of remarkable vitality and power. A cross-relationship existed between the several tribes of each nation and the tribes of corresponding name in each of the other nations, which bound them together in the league with indissoluble bonds. If either of the nations had wished to cast off the alliance, it would have broken this eight-fold bond of consanguinity. Had the nations fallen into collision with each other, it would have brought Hawk tribe against Hawk tribe—in a word, brother against brother. The history of the Iroquois exhibits the wisdom of these organic provisions: for, during the long period through which the league subsisted, they never fell into anarchy, nor even approximated to a dissolution from internal disorders.

"At no time in the history of the Iroquois could a man marry a woman of his own tribe, even in another nation. All the members of a tribe were within the prohibited degrees of consanguinity; and to this day, among the descendants of the Iroquois, this law is religiously observed. Husband and wife, therefore, were in every case of different tribes. The children were of the tribe of the mother. Here, then, we discover one of the central ideas of their laws of descent: to place the father and mother in different tribes, and to assign the children to the tribe of the mother. Several important results followed, of which the most remarkable was the perpetual disinheritance of the male line. As all titles, as well as property, descended in the female line, and were hereditary in the tribe, the son could never succeed to his father's title of sachem, nor inherit even his tomahawk.

"A tribe of the Iroquois, it thus appears, was not, like the Grecian and Roman tribes, a circle or group of families, for two tribes were necessarily represented in every family; neither, like the Jewish, was it constituted of the lineal descendants of a common father; on the contrary, it involved the idea of a descent from a common mother; nor has it any resemblance to the Scottish clan, or to the canton of a Switzer. It approaches, however, nearer to the Jewish. Denying geographical boundaries, a tribe of the Iroquois was composed of a part of a multitude of families, as widespread as the territories of the race, but yet united together by a common tribal bond. The mother, her children, and the descendants of her daughters in the female line, would, in perpetuity, be linked with the fortunes of her own tribe; while the father, his brothers and sisters, and the descendants in the female line of his sisters would be united to another tribe, and held by his affinities. No circumstances could work a translation from one tribe to another, or even suspend the nationality of the individual. If a Cayuga woman of the Hawk tribe married a Seneca, her children were of the Hawk tribe and Cayugas, and her descendants in the female line, to the latest posterity, continued to be Cayugas and of the Hawk tribe, although they resided with the Senecas, and by successive intermarriage with them had lost nearly every particle of Cayuga blood. Neither could intermarriage with one of a foreign nation confer the Iroquois nationality upon the wife or children or the marriage, and the same *vice versa*. If a Mohawk married a Delaware woman, she and her children were not only Delaware still, but ever continued aliens, unless neutralized as Mohawks, with the forms and ceremonies prescribed in case of adoption."

Of quadrupeds, the exploring party saw elks, jumping deers, wolves, cabris or prong-horned antelopes, buffaloes, the mooses, prairie hares, toganies, badgers, shrunks, foxes, beavers, minks, rabbits, and bears. Of

birds, bitterns, gray cranes, ducks, plover, rice birds, cinnamon thrush, tyrant flycatcher, grackle, yellow-headed blackbird, cliff swallow, black tern, pigeons, humming birds, pelicans, nighthawk, buzzard, ravens, barking crows, white crane, magpies, catbird, meadow lark, chipping sparrow, gulls, eagles, geese, robins, loons, kingfishers, blue jays, Canada jays, whiskey jack, white-bellied swallow, cherry bird, hawks, prairie hens, gray geese, yellow birds, American cuckoo, herons, and snow birds.

The following is a description of the auroras seen by the exploring party:—

On the night of October 2nd, when camped on Water-hen River, an aurora of unusual brilliancy and character, even in these regions, surprised us with the varied magnificence of its display of light and colour. A broad ring of strong auroral light nearly encircled the pole star. It possessed an undulatory motion, and continually shot forth, towards and beyond the zenith, vast waves of faint light. They followed one another like huge pulsations—wave after wave—expanding towards the south with undiminished strength, and continuing many minutes at a time. Suddenly the waves ceased, the luminous belt or ring increased in brilliancy, lost its regular form, and here and there broke into faint streamers of a pale yellow colour. The streamers, rapidly increasing, soon reached the zenith, and finally meeting beyond it, shot forth from the luminous arc with swift motion and in rapid succession. Their colour varied from straw to pink. The display of streamers is quite common in this part of the continent. The waves are also not unfrequently seen; but none of the half-breeds or the Indians, whom we saw a few days afterwards, had ever witnessed such a brilliant spectacle as the heavens presented during the early part of the night, when the immense pulsations, 14 deg. to 20 deg. in breadth, and expanding in their apparent ascent from east to west, rolled in tranquil, noiseless beauty, through the heavens overhead.

At ten P.M., on the 27th of October, when camped on the shores of Lake Manitobah, near Oak Point, a half-breed awoke me to witness a crimson aurora of surprising magnificence. Unfortunately, a few clouds were flitting athwart the sky, which prevented the centre arc from being visible, but perhaps they increased the depth of the colour. The light was generally steady at the edges of the clouds. The appearance of streamers was recognized only in the clear portions of the sky and above the clouds, where the rose or crimson tints were much fainter. It reminded me of the reflection of a vast prairie on fire; the deep rose and crimson tints lasted for half an hour; then gave way to white and straw-coloured streamers, occasionally tinged with pale emerald green.

Coloured auroras are not unfrequently seen during the summer months, but they rarely possess the extraordinary beauty of those which have just been described. These beautiful "dancing spirits of the dead" impart a solemnity and charm to the still night, which must ever remain one of its most delightful characteristics in these regions.

Lake Huron, always attractive in calm summer weather, was peculiarly beautiful on the evening and night of the 25th of July, 1857, during our first voyage to Red River, when lighted up by a magnificent aurora, as we neared the small Manitoulin Island. The auroral streamers converged beyond the zenith. Its base was marked by a very abrupt and well-defined sheet of light, from which waves and streamers rose from time to time. Masses of light moved continually from west to east, with an undulatory motion, occasionally folding and unfolding, with great regularity and distinctness of outline. A few minutes after ten o'clock the base of the moving folds was tinted with delicate rose colour, passing, by imperceptible gradations, into faint emerald green above. The calm surface of the lake reflected these delicate colours, and the ever-varying motions of the auroral streamers and waves. The afternoon had been warm, with a fresh south-west breeze, and a thin haze in the same direction overspreading the high shores of the Grand Manitoulin Island.

The beautiful spectacle presented by the aurora led to the description, hitherto unpublished as far as the narrator was aware, of a spectacle of extraordinary magnificence which had been witnessed by one of our fellow-travellers, a post-captain in the English navy, who was making the tour of the Grand Lakes. This gentleman described his ascent to the summit of the Peak of Teneriffe, for the purpose of seeing the sun rise above the waters of the Atlantic from that imposing elevation. At the moment when the red light of the sun began to flash above the unruffled outline of the horizon, overcome with emotion at the splendour of the scene, he turned away to seek a momentary relief in the grey of the west: but unbounded astonishment and admiration seized him, on beholding, instead of a grey blank, a gigantic image of the Peak projected on the sky to the full height of 40 deg., and swiftly sinking into the ocean as the sun rose above its eastern outline.

EAST INDIA, AND OTHER COLONIES, LAW OF EVIDENCE.

Copy of the Act 6 and 7 Vict., c. 22, entitled "An Act to authorize the Legislatures of Her Majesty's Colonies to pass Laws for the Admission, in certain Cases, of unknown Testimony in Civil and Criminal Proceedings" (31st May, 1843); and Copy of the Act (Nov. 11, 1855) passed by the Legislative Council of India, and which received the Assent of the Governor-General on the 2nd day of February, 1855, entitled "An Act for the further Improvement of the Law of Evidence. (Mr. Edward Craufurd.) 16th May, 1861. (264.)

By the first of these Acts, 6 and 7 Vict., c. 22, all laws or ordinances made by the Legislatures of British Colonies for the admission of the evidence of certain persons residing therein, who, belonging to various tribes of barbarous and uncivilized people, and being destitute of the knowledge of God and of any religious belief, were therefore incapable of giving evidence on oath in any court of justice within the colonies or plantations, shall have the same effect as other colonial laws.

The second of these Acts, Act II. of 1855, is entitled "An Act for the further Improvement of the Law of Evidence," and provides as follows:—That judicial notice be taken of all Acts and Regulations; of public and personal Acts of Parliament. That each court shall take judicial notice of its own officers, and of the names, titles, &c., of certain persons filling certain public offices; of all divisions of time, of the geographical divisions of the world, of the territories under the dominion of the British Crown, and also of the existence, title, and national flag of every Sovereign and State recognized by the British Crown. Any Government gazette, all proclamations, Acts of State, the Gazette, &c., may be proved in court, and shall be *prima facie* evidence. The courts may, on matters of public history, literature, science, or art, refer to historical books, maps, or charts, as they may deem of authority on the subject. Books printed or published under the authority of the Government of a foreign country, and purporting to contain the statutes, codes, or other written law of such countries, and also printed books of reports, or decisions of the courts of such country, to be admissible as evidence of the law of such foreign country. Children under seven years of age and insane persons to be incompetent to testify. Children and persons of defective religious belief to testify on simple affirmation that they will speak the truth, the whole truth, and nothing but the truth. No person shall, by reason of any interest in the result of any suit, or by reason of relationship to any of the parties thereto, be incompetent to give evidence upon such suit. The party to a civil suit may be examined as a witness. A husband or wife shall in every civil proceeding be competent to give evidence for or against each other, provided that any communication made by husband or wife to the other during their marriage shall be deemed a privileged communication, and shall not be disclosed without the consent of the person making the same, unless such communication shall relate to a matter in dispute in a suit pending between such husband and wife. A witness not to be bound to produce a document relating to State affairs. A witness being a party to the suit shall not be bound to produce any document in his possession which is not relevant or material. All profes-

sional communications to be privileged. Any person present in court, whether a party or not, may be called upon to give evidence, though not summoned. Except in case of treason, the direct evidence of one witness who is entitled to full credit shall be sufficient for proof of any fact. Where dying declarations are evidence, they shall be received, if it be proved that the deceased was, at the time of making the declaration, and then thought himself to be, in danger of approaching death, though he entertained, at the time of making it, hope of recovery. The party at whose instance a witness is examined may cross-examine such witness to test his veracity. A witness shall be bound to answer criminating questions, and may be examined as to whether he has been convicted of any felony or misdemeanor. Copy of a document made by a copying machine to be deemed correct. Any entry made against the interest of the person making it, or in course of business, to be admissible, though the person who made it be not dead, if he is incapable of giving evidence by reason of his subsequent loss of understanding, or is at the time beyond the reach of the court. Any receipt to be admissible against any other person other than the giver. Books kept in course of business, or in a public office, to be admissible as corroborative evidence. The court may permit a copy of documents to be used to refresh memory. Any book proved to have been kept for marking the despatch and receipt of letters, containing an entry of the despatch of a letter and an acknowledgment of the receipt of such letter, shall, on proof that such entry was made in the usual course of business, be *prima facie* evidence of the receipt of such letter.

EAST INDIA RAILWAY COMPANIES.

Return of all Sums of Money received by the Government of India from the Indian Railway Companies in each Year, ending 30th April, and the Sums expended by the Railway Companies during the same period; also, similar Returns with respect to the Madras Irrigation Company; and Statement showing the Amount standing to the credit of such Company at the commencement of the present official Year. (Mr. Henry Baillie.) 18th March, 1861. (115.)

In the year ending 30th April, 1849, the Government received 90,000*l.*, 60,000*l.* for the East Indian and 30,000*l.* for the Great Indian Peninsular Company. Up to 1852 money was only received for these two companies. In 1853, 187,500*l.* was received for the Madras Railway Company; and in the year ending 30th April, 1855, the Government had for these three companies 3,533,206*l.* In 1865, money was received for the Bombay, Baroda, and Central India, and for the Scinde; and in the year ended 30th April, 1857, there was received, on account of all these companies, 3,407,901*l.* In 1858, the Punjab Indus Flotilla and Eastern Bengal Companies were formed, and, in 1859, the Great Southern of India and the Calcutta and South Eastern. In the year ended 30th April, 1860, there

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were received for the several companies as follows:—For the East Indian, 2,061,341*l.*; for the Grand Indian Peninsular, 996,034*l.*; for the Madras, 976,515*l.*; for the Bombay, Baroda, and Central India, 812,033*l.*; for the Scinde, 337,077*l.*; for the Punjab, 109,554*l.*; for the Indus Flotilla, 108,441*l.*; for the Eastern Bengal, 66,261*l.*; for the Great Southern of India, 105,000*l.*; and for the Calcutta and South Eastern, 40,487*l.* Total, 5,613,082*l.*; and for the Madras Irrigation and Canal Company, 505,956*l.*: total, 6,119,038*l.* The expenditure in the same year for these companies was 7,267,445*l.*, and the balance was 2,692,416*l.* The amount raised and expected to be raised by these companies, exclusive of the Madras Irrigation Company, by the 30th April, 1861, was 5,698,344*l.*; and the amount spent in England and India, 6,168,951*l.* But the total expenditure, actual and estimated, in England and India, was 8,365,223*l.* The amount which it was estimated at the beginning of the year would be standing to the credit of the railway companies on the 30th April, 1861, was—East Indian, 586,972*l.*; Great Indian Peninsular, 275,776*l.*; Madras, 501,978*l.*; Bombay, Baroda, and Central India, 49,867*l.*; Scinde, 256,307*l.*; Punjab, 170*l.*; Indus Flotilla, 107,079*l.*; Eastern Bengal, 170,393*l.*; Great Southern of India, 20,091*l.*; Calcutta and South Eastern, 9,766*l.*: total, 1,978,399*l.*

IMMIGRANTS AND LIBERATED AFRICANS.

Return showing the Number of Immigrants and Liberated Africans admitted into each of the British West India Colonies and Mauritius, as well as the Places from whence they were introduced, for each Year since 1847. (Mr. Moffat.) 18th March, 1861. (113.)

IN Jamaica, from 1858 to 1860 inclusive, there were introduced 6,202 immigrants, the greater part from Sierra Leone and St. Helena; in Trinidad, during the same period, 19,636, the greater part from the East Indies; in British Guiana, 47,799, the greater part from the East Indies and Madeira; in St. Lucia, 2,334; in St. Vincent, 989; in Grenada, 2,125; in Antigua, 1,213; in St. Kitt's, 852; in Tobago, 292. Total to West Indies, 81,442; of which, 44,892 were from East Indies, 13,202 from Madeira, 8,520 from St. Helena, 6,769 from Sierra Leone, 4,748 from China, and the remainder from other countries. In Mauritius there were introduced from 1858 to 1860 inclusive 202,947 immigrants; of which, 201,951 were East Indies.

POST OFFICE.

Seventh Report of the Postmaster-General of the Post Office for the year 1860.

Extension of Inland Service.—Last year the number of post-offices in the United Kingdom was increased by 29, making the whole present number 11,441; of which, 818 are head post-offices, and 10,623 sub-post-offices. To these must be added 2,473 road letter-boxes, 515 of which were put up last year. Thus, the whole number of public receptacles for letters is now nearly 14,000, as compared with little more than 4,500 before the establishment of penny postage.

With few exceptions, the recommendations originally made, many years ago, for the improvement of the postal arrangements of the metropolis, have now been carried into effect. These arrangements, with many details connected therewith, are stated in the appendix to the Postmaster-General's second annual report, and may be briefly enumerated as follows:—1. The division of London and its suburbs into postal districts, and the erection in each of a district office. 2. An abolition of the distinction between general post and London district letter carriers; a distinction which caused much waste of labour, and was attended with great inequality in the rate of wages, &c., without any corresponding inequality in the amount of labour. 3. An increase in the number of deliveries. 4. An acceleration of the general post delivery in and round London. 5. The complete disposal of local letters in the district in which they are posted; dispensing thereby with the necessity for their transmission, after collection, to a distant central office to be subsequently brought back to their original locality for delivery. 6. The employment of letter carriers to assist in the stamping and sorting duties. 7. The primary sortation of the provincial mails on the lines of railway, or in the country post-offices. 8. The re-arrangement of the mail-cart routes. 9. A general revision of the duties of the officers attached to the circulation department, by which additional accommodation has been secured to the public, and the duties of those employed have been equalized and placed on a much fairer footing than formerly.

In maintaining the earlier time for completing the morning general post delivery in London, a difficulty is experienced from the practice, still persisted in by a portion of the public, of addressing letters to firms, without adding either the number of the house or even the name of the street. More than 20,000 letters now arrive daily, bearing only the name of an addressee with the simple addition of "London;" a practice which, besides retarding the sorting, not unfrequently causes delay in their delivery.

The marked success which has attended the establishment of the postal district system in London having suggested an extension of that system to some of the large provincial towns, it has been determined to apply it in the first instance to Liverpool, and for this the necessary arrangements are in progress.

The distance over which mails are now conveyed within the United Kingdom by railways, mail-coaches, &c., steam-packets, boats, and foot messengers, is about 144,000 miles per day; being about 4,000 miles more than at the end of 1859. This increase is principally in railway conveyance, the mileage being 39,047 miles by railway, 32,297 miles by mail-coaches, omnibuses, &c., 69,994 miles on foot, and 2,838 by packet and

boats between the different places in the United Kingdom. The charge per mile by railway was on an average $8\frac{1}{2}d.$; by coach, $2\frac{1}{2}d.$; on foot, $1\frac{1}{2}d.$; and by boats, $9\frac{3}{4}d.$

The number of letters delivered in the United Kingdom during the last year, with the rate of increase, and the proportion of letters to population, was as follows:—In England, 462,000,000, or 22 to each person; in Ireland, 48,000,000, or 8 to each person; in Scotland, 54,000,000, or 17 to each person: total in the United Kingdom, 564,000,000, or 19 to each person.

As compared with 1859, the total shows an increase of 19,000,000; and as contrasted with the year previous to the introduction of penny postage (1839), an increase (omitting franks) of 488,000,000; making the present number of letters considerably more than sevenfold that of 1839. During the last five years the rate of increase, as contrasted in each instance with the rate in the preceding year, has been as follows:—1856, $4\frac{1}{2}$ per cent.; 1857, $5\frac{1}{2}$ per cent.; 1858, $3\frac{1}{2}$ per cent.; 1859, $4\frac{1}{2}$ per cent.; 1860, $3\frac{1}{2}$ per cent.: average nearly $4\frac{1}{2}$ per cent. Of the 19,000,000 of additional letters delivered in 1860, 3,500,000 were London local letters; and of this number, about 2,000,000 were delivered in the same district in which they were posted, showing to how large an extent the public have availed themselves, even in communicating with persons in the same neighbourhood, of the means now provided for the quick delivery of letters. The whole number of letters now delivered in the same district in which they are posted is as high as 11,500,000.

The whole number of letters, general and local, delivered in the London district last year, was 137,000,000; being an increase of 6 per cent. on the number in 1859. About one-fiftieth of the letters delivered in the United Kingdom were from places abroad. The number of registered letters last year was nearly 1,500,000, or one registered letter to about 400 ordinary letters. This number shows an increase of about 6 per cent. on the previous year, while the increase in ordinary letters was only $3\frac{1}{2}$ per cent. The increase of registered letters in the London local post last year was yet greater; being upwards of 20 per cent.; but the proportion of such letters is still very small, being only one registered letter to about 1,700 ordinary London district letters. The increase was caused partly by the distribution of medals from the War Office, partly by the notices now served by the Commissioners of Police to the occupants of dilapidated buildings, and no doubt in part also by the new and more conspicuous caution plates, which were issued at the commencement of last year, and placed over the aperture of every letter-box. Notwithstanding this increase, however, it is still to be lamented that very many letters, containing coin and other valuable property, are posted in London and elsewhere, without being registered.

Nearly 71,000,000 newspapers were delivered last year, and about 11,700,000 book packets, being an increase of about 450,000 newspapers, and 700,000 book packets. In the London local post there was an increase of about 300,000 newspapers (or more than 11 per cent.), and an increase of more than 500,000 book packets. Nearly 2,000,000 letters were returned to the writers last year, owing to failure in the attempts to deliver them; being about 45,000 more than in the previous year. This is equal to one in about 286 of the whole number of letters; which is nearly the same proportion as that of last year. Three-quarters of the non-deliveries

were owing to the letters being addressed either insufficiently or incorrectly; more than 10,000 letters having been posted without any address at all. The amount of property found in letters which could neither be delivered, nor, for want of an address in the inside, be returned to the writers, was about 460*l*. While I am on the subject of non-delivery, I would urge care in affixing postage labels; a precaution the more needful as many persons refuse all unpaid letters. During the year, the number of such labels found loose in the letter-boxes, bags, &c., in England and Wales alone was more than 50,000.

By the use of envelopes bearing an embossed stamp (which are sold at every post-office), all danger of the stamp being detached may be prevented. About 390,000 newspapers were undelivered, being one in about 182. The causes for non-delivery were similar to those in the case of letters; though it may be mentioned, in addition, that many newspapers are sent in loose covers from which they become detached. Excluding official packets, the average weight of an inland letter is still rather more than a quarter of an ounce, that of a foreign letter the same, and that of a colonial letter, rather more than one-third of an ounce. The average weight of an inland or colonial newspaper passing through the post-office is about two ounces and a half, and that of a foreign newspaper about an ounce and a half.

Money Orders.—During the last year, 94 additional money-order offices were opened in England and Wales, and 18 in Ireland; while in Scotland, although 7 new offices were opened, 6 were closed owing to the small extent of their business. Thus the whole number of money-order offices is now 2,594, exclusive of colonial money-order offices in connection with the United Kingdom.

The following table shows the number of money orders issued during the year, with other particulars:—

—	Number of Money Orders issued.	Amount.	Increase per Cent.	Com- mission.	Profit after deducting Expenses.	Proportion of Money Orders issued to Population.
		£		£	£	
England and Wales.	6,159,200	11,869,339	4½	103,545	26,229	About 1 to every 3 persons.
Ireland	515,266	945,177	6	8,639	15	" 1 " 12 "
Scotland	554,680	1,043,888	4½	9,350	2,230	" 1 " 6 "
United Kingdom ...	7,229,146	13,858,404	4½	121,534	28,474	" 1 " 4 "

Total profit in each of the last ten years:—1851, 7,437*l*; 1852, 10,689*l*; 1853, 14,149*l*; 1854, 16,167*l*; 1855, 20,252*l*; 1856, 22,674*l*; 1857, 24,175*l*; 1858, 25,936*l*; 1859, 29,115*l*; 1860, 28,474*l*.

The increase in the number of money orders last year was about 260,000, which is less by about 40,000 than the increase in the previous year. In Ireland, however, the increase was greater than before. Till lately the money-order system, though yielding a profit in Great Britain, was in Ireland carried on at a loss; but this, I am glad to say, is no longer the case; the system, in that part of the kingdom, being now at least self-supporting.

During the present session of Parliament an Act has been passed "To enlarge the facilities now available for the deposit of small savings, and to

make the General Post Office available for that purpose, with the security of the Government for the due repayment thereof." The subject has engaged the attention of many persons from the year 1806, when Mr. Whitbread proposed a somewhat similar measure to Parliament; but it has been recently brought before the public and the Government most prominently by Mr. Sikes of Huddersfield, who has devoted much time and attention to the question. The plan, in accordance with which the Act recently passed was framed, and which will be shortly put in operation, differs materially from all those which had been previously proposed, and will afford the depositors a more complete security, and a much larger amount of accommodation than had been contemplated in any previous proposal. The machinery for carrying this scheme into effect has been chiefly framed and devised by Mr. Chetwynd, the book-keeper of the Money Order Office, and Mr. Scudamore, the receiver and accountant-general, to whom I feel much indebted for the ability and care they have bestowed on the subject, and which I trust in practice will prove successful.

Foreign and Colonial Posts.—In the course of last year the reduced rate of postage to Sardinia, viz., 6*d.* the quarter-ounce letter, together with a book post, was by the incorporation with Sardinia of Tuscany, the Romagna, Umbria, and the Marches, extended to great part of Italy.

A book post has been established with Hamburg, Bremen, and Lubeck; but, as yet, with no other part of Germany, although negotiations for that purpose have been renewed.

A book post has also been commenced with Sweden, with the Danish Islands in the West Indies, and with Labuan.

The Monte-Videan Legislature having refused to ratify the convention mentioned in the last report, it became necessary to revert to the higher rates of postage previously existing, viz., 1*s.* the half-ounce letter instead of 6*d.* I considered it fortunate that the Legislature adopted this course, as the additional experience which had been obtained since the time when the proposal for reduction of postage was first made to the Republic, of the effect of reducing to so low a rate as 6*d.* the postage of letters to places so distant as Monte Video, shows that such a reduction is, in a financial point of view at least, a mistake, as it has but little effect in increasing the number of letters; the writers to these distant places being evidently much less influenced in the amount of their correspondence by the rate of postage than by the frequency and swiftness of communication. In the present instance, for example, the increase in the number of letters, consequent on the reduction of postage to Monte Video from 1*s.* to 6*d.*, was so small as to be scarcely perceptible; nor has any perceptible decrease in the number taken place since the higher rate of postage was resumed.

When negotiations for a reduction were entered into with Uruguay, similar negotiations were commenced with Brazil. Little progress, however, had been made, owing to the unwillingness of the Brazilian Government to make what this department deemed only an adequate reduction in their inland rate. Nothing, therefore, had been settled; and, acting on the additional experience just referred to, I gave instructions to stop all further negotiation; so that the postage to Brazil will remain, as heretofore, 1*s.* the half-ounce letter—a rate which certainly cannot be considered high, and which, at all events, is much less than it was a few years ago.

I took advantage, also, of the opportunity for restoring the rate of postage

of letters to Buenos Ayres and Paraguay to 1*s.* the half ounce ; so that the whole of this part of South America is now on the same footing. So reasonable was the alteration felt to be, or so little was the importance attached to it, that it did not give rise to a single complaint ; and so generally was the measure made known that few letters had to be returned for want of sufficient postage.

The Government of New Granada have declined to ratify the convention concluded with their minister in London in December, 1859, and referred to in the last annual report. The alterations which that Government desire to make in some of the provisions of the convention are inadmissible, and as the high rate hitherto demanded and paid for the mere permission to send, at our own sole cost, British mails across the isthmus of Panama ought not to be continued, I have thought it right to communicate on the subject with the Secretary of State for the Foreign Department.

No progress has been found practicable in the negotiations for new postal conventions with the United States and the Netherlands.

The postal communication between England and France has been greatly improved by an acceleration of the night mail, and by an acceleration and change in the hour of despatch of the day mail ; the difficulties which so long delayed this important measure having in the early part of the year been overcome.

As regards the night mail, the gain effected has been an earlier arrival of the letters in the morning in London and Paris respectively by more than an hour ; which has admitted of the forward correspondence being sent out by many of the provincial morning mails from both capitals—an advantage previously impracticable. But the most valuable improvement is the establishment, for the first time, of a mail leaving London and Paris early in the morning, thus promptly carrying forward the large number of letters reaching those cities by the previous night mails so as to convey them in time for delivery the same evening for despatch onwards. The communication between the provincial towns of France, and, indeed, between a large part of the continent generally, and the provincial towns in the United Kingdom, has thus been greatly improved ; the gain being in many cases twenty-four hours in the single transit, or forty-eight hours in the course of post.

The French Government have established a monthly line of mail packets from Bordeaux to Brazil and the River Plate ; and as the days fixed for the packets to leave Bordeaux are about a fortnight later than those upon which the British packets take their departure from Southampton, the public, both in this country and in France, have now the benefit of a bi-monthly communication with Brazil and Buenos Ayres. The French packets perform their voyages with rapidity and great regularity. While these packets have caused a considerable increase in the whole number of letters passing between this country and South America, they have withdrawn comparatively few from the British packets, and have not greatly diminished even the number of letters conveyed by those packets on account of France, and of countries served through France—a fact affording further confirmation of the opinion that, in correspondence with distant places, the rate of postage is a secondary consideration.

The packet service to the West Indies has been accelerated, and homeward letters now arrive in time for replies to be sent by the outgoing mail.

The transfer of the management of the posts in the West Indies from

this office to the local Governments—an object long desired by this department, from a conviction that the direction on the spot would be much more efficient and economical than when conducted at a distance, was last year carried into effect, and a like transfer was made at Hong Kong. With the exception, therefore, of the military stations at Malta and Gibraltar, the British Post-office has no longer the management of any colonial offices whatever.

Except as regards Tasmania and Vancouver's Island, letters passing between this country and any British colony can now be registered.

A negotiation is in progress with the French Post-office for admitting trade patterns to the privileges of the book post between this country and France; and should the result be satisfactory, the arrangement will probably be extended to other countries.

Until lately no letter could be forwarded to India, unless it was at least partially prepaid; but, since the 1st of February of the present year, this restriction has been withdrawn, and letters can now be sent even when wholly unpaid; all such letters, however, like those which are partially prepaid, being, on delivery, charged with an additional rate. This arrangement, which for some years has been in use with regard to letters for Canada and elsewhere, appears to me to be better than that of detaining unpaid letters, and sending them back to the writers; and, where practicable, I shall take the necessary steps for its adoption. In some instances, however, such as Brazil and Buenos Ayres, prepayment, and that in full, is necessary, because, having as yet no accounts with the post-offices in those countries, we have no means of collecting our postage.

In accordance with the provisions of the Act passed last session, the general control of the British packet service was, on the 1st of April, 1860, transferred from the Admiralty to this department. Since that time the only new contract that has been entered into is for the performance of the Australian service.

Till July last the route east of Suez was by way of Mauritius, but from that date the Australian service has, as far as Ceylon, been connected with the Indian service; separate vessels being employed only between Ceylon and Sydney. By this arrangement, which is in accordance with the view taken from the first by this department, there has been a considerable saving of expense.

Communication with Mauritius, east of Suez, is now maintained by a separate service.

At the end of last June the contract came into operation for establishing a fortnightly communication between Galway and the United States *via* Newfoundland; but the service was so irregularly performed, and so little in accordance with the stipulations of the contract, that, after showing the company much indulgence, and even allowing them for several months to suspend operations altogether, I deemed it my duty, with your lordships' approval, to bring the contract to an end.

The packet put on between Malta and Corfu having become unnecessary, in consequence of the re-opening of the communication with Corfu and Trieste, on the termination of the war between France and Austria, has been discontinued.

I wish again to call attention to the obstacle in the way of a general establishment of moderate rates of postage to places abroad, arising from the heavy charges often made for the transit through foreign countries

and I repeat the offer made by Lord Elgin in the last report, to negotiate with any foreign country on the principle of mutually charging 1*d.* per oz. for every 250 miles of transit for letters, and 1*d.* per lb. for printed matter.

Revenue and Expenditure.—Gross Revenue.—The gross revenue of the Post-office in the year 1860, exclusive of that derived from impressed stamps on newspapers (collected by the Commissioners of Inland Revenue), was as follows:—Postage—In England, 2,716,557*l.*; in Ireland, 250,443*l.*; in Scotland, 300,662*l.*: total, 3,267,662*l.* Commissions on money orders—In England, 103,923*l.*; in Ireland, 8,516*l.*; in Scotland, 9,254*l.*: total, 121,693*l.*: gross total, 3,389,355*l.*

The gross revenue properly appertaining to the year 1860, adjusted with reference to the balances due to and from the colonies and foreign countries, was 3,282,900*l.*; to which must be added for impressed stamps on newspapers, 141,810*l.*, making a total of 3,524,710*l.* The above sum of 3,282,900*l.* shows an increase of 83,075*l.* on the adjusted gross revenue of 1859; being an increase at the rate of 2½ per cent. as compared with an increase of nearly 6½ per cent. in the previous year, and with an average of about 4½ per cent. in the last five years. The diminution in the rate of increase is partly apparent only, the year 1859 having included the receipt for several days beyond the exact year. Such of the decrease as is real is probably owing to the bad harvest of last year and to the check to trade.

Expenditure.—The actual expenditure for the year 1860 was as follows:—Salaries, pensions, &c., 1,042,000*l.*; buildings, repairs, &c., 45,477*l.* Conveyance of mails, by railways, 490,223*l.*; by coaches, carts, &c., and wages of mail guards, 170,951*l.*; by mail packets and private ships (when paid for by the Post-office), 4,576*l.* Manufacture of postage stamps, 31,438*l.* Miscellaneous, including the conveyance of mails in colonies, under the postal direction of the Postmaster-General; the conveyance of the mails through Egypt; clothing for letter carriers and guards; official postage, rents, taxes, law expenses, &c., 134,346*l.* But the expenditure properly appertaining to the year partly estimated amounted in all to 1,919,011*l.* An increase of about 29,000*l.* in salaries, pensions, &c., is partly for an increased force of 480 officers, partly for numerous additions to the pension list, and partly for annual increments of salaries and wages. More than 5,000*l.* of the increased cost of railway service is the payment for a quarter of a year, for the railway portion of the improved Irish service.

To the foregoing expenditure must be added such portion of the cost of the packets (partly incurred for other than postal purposes), as may fairly be placed to the debit of the Post-office, viz. that portion which is repaid as sea-postage, and the cost of stationery, which is defrayed by the Stationery Office, and from the expenditure must be deducted half the annual payment to the Holyhead Railway Company—a payment agreed upon chiefly to assist in the construction of the line, and to promote passenger communication between England and Ireland.

Thus adjusted the account stands as follows:—Expenditure proper to the year, and defrayed by the Post-office, after deducting 15,000*l.*, half the payment to the Chester and Holyhead Railway Company, and in 1860, 2,700*l.*, half the cost for one quarter of the improved railway service to Ireland, 1,918,008*l.*; such portion of the cost of mail packets as may fairly be charged against the Post-office, 470,000*l.*; cost of stationery (defrayed by the Stationery Office), 34,223*l.*: total, 2,422,231*l.* From the foregoing

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statement it appears that there was an increase in expenditure last year of 110,117*l.*, or about 4½ per cent. If, setting aside reference to other purposes, the foreign and colonial letters were charged with the whole cost of the packets, and with that of foreign agencies, transits, and other incidental expenses, not only would the sea-passage be entirely absorbed, but these letters would show a loss amounting last year to about 410,000*l.*

In proportion to the amount of correspondence, the greatest loss appears on the lines to the Cape of Good Hope, the West Indies and Pacific, the west coast of Africa, and *viâ* Galway to the United States.

On each letter between this country and the Cape of Good Hope there appears to be a loss of about 9*d.*; on each letter to the West Indies, a loss of about 1*s.*; on each letter to the west coast of Africa, a loss of about 1*s.* 8*d.*; and on each letter to the United States, *viâ* Galway, a loss of about 6*s.*

The greatest absolute loss appears on the West Indian, Pacific and Brazilian line, amounting to nearly 200,000*l.*

Besides the loss on the packets to places abroad, there is also a loss on several of the packets engaged in the service between different parts of the United Kingdom; by far the heaviest arising from that between Holyhead and Kingston.

Net Revenue.—The net revenue, viz., the difference between the gross revenue and the expenditure, as adjusted above, was 1,102,479*l.*, being 33,481*l.* less than the net revenue of the previous year—a diminution attributable to increased expenditure. Nearly the whole of the net revenue was derived from inland letters.

Staff of Officers.—At the end of 1860 the staff of officers was as follows:—
1. Officers of British Isles—Postmaster-General, 1; secretary, assistant-secretaries, and secretaries for Ireland and Scotland, 5; other superior officers, viz. heads of departments, chief clerks in the metropolitan offices, &c., 19; surveyors, 14; postmasters, 11,428; clerks, &c., 1,634; mail guards and porters, 195; letter carriers, messengers, &c., 11,889; marine mail officers, 7: total, 25,192. 2. Postmasters, clerks, letter carriers, &c., in the colonies, the posts of which are under the direction of the Postmaster-General, 22. 3. Agents in foreign countries for collection of postage, &c., 68. Grand total, 25,282.

PACKET AND TELEGRAPHIC CONTRACTS.

First Report of the Committee of the House of Commons appointed to inquire into the manner in which Contracts extending over periods of years have from time to time been formed or modified by her Majesty's Government with various Steam Packet Companies for the Conveyance of Mails by Sea; and likewise into any Agreements or other Arrangements which have been adopted at the Public Charge, actual or prospective, for the purposes of Telegraphic Communications beyond Sea, and to Report their Opinion thereon to the House; together with any Recommendations as to Rules to be observed hereafter by the Government in making Contracts for Services which have not yet been sanctioned by Parliament, or which extend over a series of years. (328.)

THE Committee was appointed on the 30th January, 1860, and on the 7th February, 1860, it was nominated as follows:—Sir Francis Baring,
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Sir Stafford Northcote, Mr. Henry Herbert, Mr. Corry, Mr. Scholefield, Sir Henry Willoughby, Mr. Dunlop, Captain Leicester Vernon, Mr. Baxter, Captain Gladstone, Mr. Hubbard, Mr. Robert Crawford, Mr. Hope, Mr. Laing, Mr. Bayley, Sir Edward Grogan, Mr. Howes, Mr. Edward Ellice, and Colonel Greville. On the 22nd May, 1860, the Committee made their first report on Packet contracts, and the result of their investigations was stated as follows:—

The defects in the subsisting manner of forming or modifying contracts, extending over periods of years, for the conveyance of mails by sea, to which your Committee deem it necessary to direct the special attention of the House, relate, on the one hand, to the means of bringing the information possessed, and the views entertained, by the several departments of Government in charge, respectively, of the various interests affected by such contracts, duly before that department with which the decision and responsibility ultimately rest; and, on the other hand, to the exercise by Parliament of its right of control.

Since the year 1837, the parties by whom, on behalf of the Government, all such contracts were actually entered into, have been the Lords Commissioners of the Admiralty; but the power of authorizing them to be formed, and of prescribing their terms and conditions, is acknowledged to belong to the Lords of the Treasury, who communicate with the Postmaster-General, the Secretary of State for the Colonies, and the Lords of the Admiralty themselves, in reference to the postal, colonial, or nautical questions involved.

From the evidence laid before your Committee, it appears, that in making and modifying such contracts, there has been a want of concert, and an absence of a clear and well-defined responsibility in the Admiralty, Post Office, and Treasury departments; that the respective functions and provinces of the Treasury and the Admiralty have not always been duly adhered to; and that the Treasury has been led to authorize very important contracts without having before it the elements necessary for a right determination.

The Committee then entered into particulars with reference to the Dover contract in 1834, the West Indian contract in 1857, and also to the contract with the European and Australian Company in the same year, and more especially to the Galway contract in 1859, and concluded their report as follows:—

From a review of the proceedings above detailed, the conclusion seems to your Committee irresistible, that great defects exist in the means provided, under the present system, for bringing under the notice of the parties by whom such contracts are to be authorized all the materials and considerations which are essential to a right judgment being come to. If these defects do not altogether excuse, they in a great measure account for the circumstance, that in sanctioning the contracts in question, such highly important considerations as have been above adverted to were entirely overlooked; and they call for an immediate and effective remedy.

With a view to remedy these defects, an Act has been passed in the present session of Parliament, for transferring the enforcement of postal packet contracts from the Admiralty to the Postmaster-General, and arrangements have been entered into between the Treasury and the Post Office, for the exercise, by the Postmaster-General, of his new functions under it.

The chief remedy, however, for the evils of the existing system will, in the opinion of your Committee, be found in a more efficient control by Parliament, at a stage when that control can be freely exercised.

At present no opportunity arises for any consideration of a postal contract till a vote is proposed for the first payment under it. Even, however, when that vote comes on shortly after the contract is entered into, there is nothing, if it be a renewal of an existing contract at the same subsidy (though in anticipation, by many years, of its natural term of expiry), to warn the House that any change has taken place; nor does an increased subsidy necessarily make the House aware of the fact, as the addition may be for a supplemental service merely grafted on that under the original contract. If, again, it be for a new service for which extensive preparation requires to be made, the vote may not fall to be asked for till after the lapse of a considerable period, as in the case of this Galway contract, which was entered into in February, 1859, but the service under which does not commence till June, 1860; so that no occasion for a vote of money could arise till the estimates for the year now current should come before the House. In the interval, however, between the execution of a contract and the vote, contractors necessarily go on with their preparations; building ships, and making different arrangements, involving expense, and, it may be, obligations of a serious nature; so that when the question is raised on the vote, it is obviously impossible for the House of Commons to exercise its power of control with that freedom which is absolutely essential for the public interest, and the right performance of its high functions.

Your Committee are fully alive to the evils that might result from any course of procedure which would open a door to a Parliamentary canvass, on behalf of competing offers for a public contract; but any risk of that kind is far more than counterbalanced by the necessity of Parliamentary control not being practically excluded in regard to so large a branch of public expenditure.

The amount of subsidies paid for postal packet service is now nearly a million a year, and the addition of the Galway subsidy would raise it above the million, while the whole corresponding postal revenue, as stated by the Post Office, is only about 393,500*l*. Under particular contracts, too, the payment is very large; in one case, that of the West India service, it reaches 268,500*l*, and it seems repugnant to the principles of the Constitution, that the Executive Government should be left to enter into contracts, binding the country for prolonged periods of future time, and that, it may be, by anticipation, in the payment of sums so vast, without the possibility of any effective Parliamentary check, beyond a disapproval after the evil is done, and when, it may be, the ministers by whom the contract has been entered into are no longer in office.

The risk also of a Parliamentary canvass may be, as your Committee think, in a great measure, if not altogether avoided, by arrangements which would, at the same time, accomplish another, and, in itself, a most desirable object, namely, that of leaving on the Executive its full responsibility, in regard to the formation of these contracts.

Your Committee would suggest that the whole transaction should be, as at present, fully completed by the Executive Government; that the contract should be entered into with the offerers preferred by them, and that it should be executed; but that a clause should be inserted in every such

contract, providing expressly that it should not be binding until it has lain on the table of the House of Commons for a month without disapproval, unless it has been previously approved by a resolution of the House.

In reality and strictly, such contracts are, at present, subject to the approval of the House; and the very proper practice introduced by the late Government, of declaring the subsidies to be payable out of moneys to be voted by Parliament has warned contractors of the real state of the case. Any plea, however, of ignorance or misapprehension should be excluded by the insertion of the clause above suggested; and the contract, when executed, should at once, and without waiting till a vote under it is required to be asked, be laid on the table of the House, accompanied by a minute of the Treasury setting forth the grounds on which the Government has proceeded.

Had the practice now recommended been in observance when the contracts which have formed the chief subject of the Committee's remarks were entered into, your Committee do not believe it possible that those evils could have occurred which they have brought under the notice of the House.

It is true that emergencies might occasionally arise, by the unexpected breaking down, for instance, of an existing service, or the sudden bursting out of a war, which might require new arrangements, necessary to be entered upon without the delay that would ensue, if Parliament were not sitting, before these could be brought under its consideration. But the postal service is not in this respect different from the other services of the empire, in which, in special emergencies, expenditure unauthorized by Parliament becomes absolutely essential. In all such cases the Executive must take the responsibility of sanctioning whatever immediate urgency requires; and it has never been found that Parliament exhibited any reluctance to supply the means of meeting such expenditure. There are no grounds for supposing that any such sudden emergencies occurring in the postal service might not safely be left to be met in the same way with similar emergencies in other services.

Your Committee proceed to make some suggestions which present themselves from the consideration of the evidence. With respect to the details of the arrangements for the conduct of the business, your Committee purposely refrain from proposing any rules, and they prefer stating the objects which should be effected by the departmental regulations:—

1. Whatever may be the distribution of the business, the responsibility of the Treasury should be complete and effective. However lax the practice, the Treasury is now responsible in theory. The decision on Post Office contracts is not a mere Post Office question, but frequently involves considerations of an imperial character affecting our political relations, our colonial empire, the efficiency of our army and navy, and the spread of our commerce. The public have a right to the real exercise of the judgment of the highest authorities on matters so important, and your Committee would see with regret that the action of the Treasury should degenerate into a mere formal sanction of the suggestions of some other department.

2. The arrangements of the Government should secure that all information received by the departments should reach the Treasury. It has been seen that in giving their opinion on matters referred to them, departments have not thought it necessary to transmit the documents to the Treasury,

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and that the latter have come to decisions in ignorance of information which might materially have affected their judgment.

3. Security should be taken that the decision of the Treasury should be faithfully carried out. It appears in evidence that in one contract material conditions contained in the Treasury Minute had been omitted by mistake, and that a privilege had been inserted which the Treasury had never sanctioned or seen. The draft contract should be submitted, examined, and approved at the Treasury.

4. Your Committee would also suggest that, previously to any contract being finally sanctioned by the Treasury, draft copies should be transmitted to the Admiralty, and to such other department of the Government as might have an interest in the performance of the proposed service, for the consideration and observation of those departments.

5. As the management of the packet contracts is now vested in the Post Office, subject to the Treasury, arrangements should be made securing to the Treasury a sufficient knowledge of what is done.

We now come to the question of the manner in which contracts should be made, and the conditions of such contracts. To lay down positive rules would be impossible. A commission, composed of men of high authority, investigated the subject with great diligence, and made a report deserving every consideration and respect, yet the recommendations of that commission have not obtained the concurrence of the successive Governments who have had to decide on subsequent contracts; and your Committee have reason to suppose that the opinions of the commissioners themselves have been modified by experience. Your Committee, therefore, warned by such an example, feel the necessity of great caution, and are convinced that very much must be left to the discretion of the Government, adapting itself to the varied circumstances of each case.

Your Committee will, however, offer such general observations as they consider may be of service.

1. With respect to contracts for services entirely new, your Committee are of opinion that, as a general rule, such contracts should be put up to open competition. There are two exceptional cases; one, where immediate steps are necessary, in which case Government must act on its responsibility, subject to the approbation of Parliament; but in such a case, we recommend that the arrangement should be confined as much as possible to the immediate necessity. Another, and more difficult, exception arises with respect to new additional branches to lines already in operation and under contract; the circumstances are so various, so much depends on the character of the new service, its connection with that already under contract, and the possibility of working the new line by an independent company, that your Committee feel it most unwise to attempt to lay down any rule. The discretion must be left to the Executive, subject to the control of Parliament.

2. As respects the renewal of existing contracts, it is hard to reconcile the two important considerations of economy and efficiency. While on the one hand, it is the duty of Government to secure the performance of the service at the least expenditure; on the other, a department responsible for the performance of the duty is reluctant to risk the chance of change, and anxious to secure the service of those who have performed the duty long and well, and in whom they have confidence. We are not prepared to lay down any general rule, but we are of opinion that the practice of

renewing contracts to existing holders has been carried to an extent which should no longer be sanctioned.

3. With respect to the condition to be introduced generally into the contract, many suggestions will be found in the evidence and in the correspondence between the Treasury and the Post Office.

It is proposed that no specific sum should be paid, but the postage handed over to the contractors. That no time should be fixed for the continuance of the contract, but that it should be a running contract, terminable at a year's notice. That no stipulation should be made as to the size, the power, the number, or the inspection of the steamers, or other details, but that the contractor should be bound to perform the service under heavy penalties.

Your Committee have not had sufficient evidence before them to enable them to give a decided opinion upon the first of these proposals.

We doubt much the expediency of running contracts, terminable at a short notice in all cases, but there are exceptional instances in which they may be advisable.

With respect to the proposal to abandon precautions as to inspection, and stipulations respecting the number and fitness of the steamers to be employed, we would consider that great caution is necessary; and as to surveys for ascertaining the sufficiency of vessels and their engines, we are of opinion that recourse should be had, as hitherto, to the Admiralty, rather than, as now proposed, to the Board of Trade.

The system of relying on heavy and absolute penalties has been tried, but the result does not warrant us in giving our sanction to the abandonment of the precautions hitherto taken to ensure that a contractor should at least have adequate means for the performance of his contract.

In closing our remarks on this part of our subject, we cannot conceal our conviction that the well working of any system must depend on the careful attention of the Executive, checked by publicity and the control of Parliament.

Your Committee cannot conclude their report without recording their conviction that it is quite practicable to dispense with large subsidies in cases where ordinary traffic supports several lines of steamers, and that, in the circumstances which have for some years existed in regard to the communication between this country and North America, no such subsidies are required to secure a regular, speedy, and efficient postal service.

Many questions of interest, which do not fall within the terms of the reference to your Committee, have been incidentally and almost unavoidably brought under their notice; such as those regarding the comparative merits of paddle and screw steamers for the conveyance of mails, or the propriety of allowing mails to be sent by vessels carrying emigrants. Your Committee abstain from giving any opinion on these and similar questions, or on the relative merits of different routes, the consideration of which has been pressed on them.

SHIPPING.

Returns of the Number and Tonnage of Sailing and Steam Vessels registered at each Port of the United Kingdom on the 31st December, 1860; and of the Shipping entered and cleared; Ships built, registered, &c., for the Year ended 31st December, 1860. (Mr. Ingham.) 15th March, 1861. (261.)

ON the 31st December, 1860, there were registered at each of the ports of Great Britain and Ireland the following number of sailing and steam-vessels:—At ports in England—of sailing vessels, 7,064 vessels, 219,022 tons, of and under 50 tons, and 12,437 vessels, 3,151,571 tons, above 50 tons; of steam-vessels, 684 vessels, 15,513 tons, of and under 50 tons, and 822 vessels, 323,500 tons, above 50 tons. In Scotland—of sailing vessels, 1,167 vessels, 35,538 tons, of and under 50 tons, and 2,005 vessels, 516,674 tons, above 50 tons; of steam-vessels, 83 vessels, 2,003 tons, of and under 50 tons, and 231 vessels, 69,576 tons, above 50 tons. In Ireland—of sailing vessels, 1,017 vessels, 30,150 tons, of and under 50 tons, and 1,086 vessels, 181,435 tons, above 50 tons; and of steam-vessels, 35 vessels, 955 tons, of and under 50 tons, and 133 vessels, 40,796 tons, above 50 tons. In the Isle of Man there were—of sailing vessels, 297 vessels, 7,187 tons, of and under 50 tons, and 50 vessels, 3,600 tons, above 50 tons; of steam-vessels, 5 vessels, 1,204 tons, above 50 tons. In the Channel Islands—of sailing vessels, 216 vessels, 5,564 tons, of and under 50 tons, and 324 vessels, 53,619 tons, above 50 tons; and of steam-vessels, 2 vessels, 25 tons, of and under 50 tons, and 5 vessels, 746 tons, above 50 tons. In England, Liverpool had the largest tonnage of registered vessels registered, viz. 1,013,723 tons; next came London, 680,392 tons; next the two Shields, 270,352 tons; next Sunderland, 228,092 tons; and next Newcastle, 113,356 tons. Of steam-vessels, London had the largest tonnage, 189,199 tons; Liverpool having only 66,585 tons. In Scotland, Glasgow had the largest tonnage, 164,544 tons; next Greenock, 78,568 tons; and next Aberdeen, 72,657 tons. Of steam-vessels, Glasgow had the largest proportion, 47,484 tons. In inland, Belfast had the largest tonnage of sailing vessels, 72,308 tons. Of steam-vessels, Waterford had the largest tonnage, 14,046 tons; and next Dublin, 11,885 tons.

The number and tonnage of vessels that entered and cleared coastwise at each of the ports of Great Britain and Ireland were as follows:—Of sailing vessels Inwards—England, British, 90,171 vessels, 7,227,577 tons; foreign, 594 vessels, 96,020 tons. Scotland, British, 14,043 vessels, 890,591 tons; foreign, 62 vessels, 4,887 tons. Ireland, British, 19,238 vessels, 1,487,997 tons; foreign, 6 vessels, 635 tons. Isle of Man, British, 1,381 vessels, 73,776 tons. Outwards—England, British, 103,714 vessels, 8,298,783 tons; and foreign, 396 vessels, 71,086 tons. Scotland, British, 16,301 vessels, 1,015,888 tons; foreign, 84 vessels, 7,620 tons. Ireland, British, 7,316 vessels, 433,733 tons; foreign, 160 vessels, 20,799 tons. Isle of Man, British, 790 vessels, 48,775 tons. Of steam-vessels, inwards—England, British, 16,038 vessels, 3,925,404 tons; foreign, 3 vessels, 354 tons. Scotland, British, 6,590 vessels, 1,386,454 tons; foreign, 1 vessel, 324 tons. Ireland, British, 7,036 vessels, 1,983,165 tons. Isle of Man, British, 70 vessels, 13,160 tons. Outwards—England, British, 16,042 vessels, 3,839,647 tons; foreign, 4 vessels, 641 tons. Scotland, British, 6,363 vessels, 1,329,514 tons. Ireland, British, 7,039 vessels, 1,996,738 tons. Isle of Man, British, 77 vessels, 14,476 tons. The largest tonnage

of coasting vessels inwards was in London. The largest tonnage entered outwards was in Newcastle and Sunderland.

The number and tonnage of vessels that entered and cleared for and to the colonies was as follows:—Of sailing vessels, inwards, England, British, 412 vessels, 179,033 tons; foreign, 17 vessels, 5,832 tons. Ireland, British, 348 vessels, 128,590 tons; foreign, 47 vessels, 17,885 tons. Isle of Man, British, 3 vessels, 576 tons. Channel Islands, 37 vessels, 5,306 tons. Outwards—England, British, 476 vessels, 221,222 tons; foreign, 34 vessels, 14,158 tons. Ireland, British, 234 vessels, 92,438 tons; foreign, 30 vessels, 10,738 tons. Isle of Man, British, 2 vessels, 362 tons. Channel Islands, 61 vessels, 7,805 tons. Of steam-vessels—Inwards, British, 694 vessels, 171,603 tons. Outwards, British, 728 vessels, 192,397 tons; foreign, 1 vessel, 266 tons.

The number and tonnage of vessels that entered and cleared from and to foreign ports, were as follows:—Sailing vessels, inwards, England, British, 12,998 vessels, 2,452,649 tons; foreign, 18,535 vessels, 3,943,349 tons. Scotland, British, 1,182 vessels, 218,135 tons; foreign, 3,014 vessels, 386,064 tons. Ireland, British, 701 vessels, 134,102 tons; foreign, 1,180 vessels, 255,467 tons. Isle of Man, British, 10 vessels, 1,422 tons; foreign, 29 vessels, 3,260 tons. Channel Islands, British, 822 vessels, 44,816 tons; foreign, 214 vessels, 14,615 tons. Outwards—English, British, 13,417 vessels, 2,651,180 tons; foreign, 20,469 vessels, 4,203,557 tons. Scotland, British, 1,661 vessels, 273,315 tons; foreign, 3,201 vessels, 414,183 tons. Ireland, British, 101 vessels, 27,060 tons; foreign, 224 vessels, 57,764 tons. Isle of Man, British, 2 vessels, 296 tons; foreign, 23 vessels, 2,588 tons. Channel Islands, British, 743 vessels, 27,742 tons; foreign, 140 vessels, 8,504 tons. Of steam-vessels, there were entered, inwards, British, 5,937 vessels, 1,973,133 tons; foreign, 1,298 vessels, 404,175 tons. Outwards, British, 5,418 vessels, 1,849,487 tons; foreign, 1,075 vessels, 376,412 tons. Channel Islands, inwards, British, 260 vessels, 21,313 tons; foreign, 106 vessels, 4,876 tons. Outwards, British, 274 vessels, 20,849 tons; foreign, 106 vessels, 4,876 tons.

The number and tonnage of sailing vessels registered at each of the ports of the colonies were as follows:—In the African colonies, including Sierra Leone, Bathurst, Cape of Good Hope, and Mauritius—sailing vessels, 156 vessels, 3,798 tons, of and under 50 tons, and 135 vessels, 22,696 tons, above 50 tons; and 5 steam-vessels, 437 tons, above 50 tons. In the Australian colonies, including Sydney, Melbourne, Hobart Town, Launceston, Adelaide, Freemantle, New Zealand—sailing vessels, 704 vessels, 17,351 tons, of and under 50 tons, and 724 vessels, 117,075 tons, above 50 tons; steam-vessels, 37 vessels, 1,014 tons, of and under 50 tons, and 67 vessels, 11,173 tons, above 50 tons. In the North American colonies, including Newfoundland, Canada, New Brunswick, Nova Scotia, and Cape Breton, and Prince Edward Island—sailing vessels, 3,542 vessels, 102,706 tons, of and under 50 tons, and 3,315 vessels, 511,409 tons, above 50 tons; steam-vessels, 52 vessels, 1,642 tons, of and under 50 tons, and 113 vessels, 23,815 tons, above 50 tons. In the British West Indies, including Antigua, Barbadoes, Dominica, Grenada, Jamaica, Montserrat, Nevis, St. Christopher, St. Lucia, St. Vincent, Tobago, Tortola, Trinidad, Bahamas, Bermuda, Demerara, and Berbice—535 vessels, 11,061 tons, of and under 50 tons, and 130 vessels, 11,625 tons, above 50 tons; of steam-vessels, 3 vessels, 332 tons, above 50 tons.

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During the year 1860 there were built in the United Kingdom, of sailing vessels, 686 vessels, 112,097 tons, of timber, and 32 vessels, 13,584 tons, of iron; and of steam-vessels, 46 vessels, 2,391 tons, of timber, and 151 vessels, 31,363 tons, of iron. In the British possessions, of sailing vessels, 647 vessels, 105,554 tons, of timber; and of steam-vessels, 3 vessels, 220 tons, of timber, and 1 vessel, 9 tons, of iron.

During the year there were sold and transferred in the United Kingdom, 1,391 sailing vessels, 291,968 tons; and 173 steam-vessels, 53,609 tons. There were wrecked of vessels belonging to the United Kingdom, 718 sailing vessels, 160,893 tons; and 26 steam-vessels, 11,891 tons. There were broken up 67 sailing vessels, 12,434 tons; and 8 steam-vessels, 234 tons.

There were registered in the United Kingdom, of colonial built vessels, 3 Newfoundland vessels, 115 tons; 2 Canadian, 618 tons; 11 New Brunswick, 9,342 tons; 2 Nova Scotia and Cape Breton, 665 tons; and 5 Prince Edward's Island, 959 tons. Of foreign built vessels there were registered 54 vessels, 19,271 tons.

POST OFFICE.

Return of the Names of the Heads of Departments, and of the Staff Officers, of the various Departments of the Post Office, with the Salaries, Emoluments, and Pensions or Annuities, received by each Individual in 1860; and also a Statement of Salaries, Emoluments, &c., received by the same Persons in 1849. (Sir Andrew Bowyer.) 12th Feb., 1861. (21 S.)

THE Secretary, Sir Rowland Hill, in 1849, had 1,200*l.*; in 1860, 2,000*l.* The two assistant-secretaries had 800*l.* in 1849; in 1860, 1,000*l.* and 100*l.* pension. The comptroller of the Money-order Office had 300*l.*, and 100*l.* annuity, in 1849; in 1860, he had 700*l.* and 100*l.* The receiver and accountant-general had 170*l.* in 1849, and 675*l.* in 1860. The surveyors had 400*l.* in 1849, and 800*l.* in 1860. The secretary in Dublin had 350*l.*, with 350*l.* allowance, in 1849; and 1,000*l.* in 1860; and the secretary in Edinburgh had 800*l.* in 1849, and 1,000*l.* in 1860.

VESSELS AND TONNAGE.

Return showing the Number of Vessels and Tonnage entered inwards, and cleared outwards, at each of the twelve principal Ports of the United Kingdom; also, the official and declared Value of Imports and Exports for each of the said Ports during the year 1861. (Mr. Horsfall.) 9th April, 1862. (284.)

THE whole tonnage of all the twelve principal ports was, in 1861, 29,636 vessels, 9,159,830 tons, entered inwards; and 27,969 vessels, 8,711,572 tons, cleared outwards. In their relative rank, Liverpool stood first, having a tonnage, entered and cleared, of 5,951,709 tons; next, London, with a tonnage of 5,591,447 tons; next, Newcastle, with a tonnage of 2,271,131, principally outwards; and after them, Hull, Southampton, Glasgow, Leith, Bristol, Greenock, Dublin, Cork, and Belfast. The declared value of British and Irish produce exported in 1861 was as follows:—From Liverpool, 52,241,445*l.*; from London, 30,974,525*l.*; from Hull, 13,989,123*l.*; from Glasgow, 5,259,887*l.*; from Southampton, 1,706,471*l.*; from Leith, 1,291,832*l.*; from Greenock, 636,503*l.*; from Bristol, 347,741*l.*; from Cork, 131,679*l.*; from Dublin, 28,138*l.*; and from Belfast, 27,094*l.*

I N D E X.

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